

2. Naik	46	Class IV Non-gazetted.	40—1—45 Non-selection post.	By promotion from amongst the Security Sepoys.	Not applicable.	Not applicable.	One year's trial period.	Does not arise as no direct recruitment is envisaged.	Security Sepoy.
3. Havildar (including Quarter Master Havildar).	3	Class IV Non-gazetted.	40—1—45 Non-selection post.	By promotion.	Not applicable.	Not applicable.	One year's trial period.	Does not arise as no direct recruitment is envisaged.	Naiks. None.
4. Junior Commissioned Officer.	6	Class III Non-gazetted Non- Ministerial.	75—3—90 Selection post.	(i) 50% by depuration transfer from other services where experience of commanding a Platoons of about 80 persons in a semi-military organisation is required or by direct recruitment through Employment Exchange.	Between 25 & 40 years. Relaxable in the case of Scheduled Castes/ Tribes, displaced persons and other special categories in accordance with the general orders issued from time to time by the Ministry of Home Affairs. Also relaxable in other exceptional cases at the discretion of the competent authority.	(i) Matric or equivalent grade in (ii) At least 3 years' experience as Junior Commissioned Officer or in an equivalent grade in the Army or Navy or Air Force in one of the units like Territorial Army and other Semi-Military organisations or a retired Assistant Sub-Inspector of Police. Relaxable in exceptional circumstances.	(i) Direct recruitment for Havildars and Naiks. None.	(ii) Direct recruitment for Naiks.	Havildars and Naiks. None.
				(ii) 50% of the post to be filled by promotion from amongst Havildars and Naiks in the Security Police, Ministry of Home Affairs.					

New Delhi, the 31st January 1959

**G.S.R. 145.**—In exercise of the powers conferred by section 18 of the Citizenship Act, 1955 (57 of 1955), the Central Government hereby makes the following amendment to the Citizenship Rules, 1956, namely:—

In the said rules—

after sub-rule (3) of rule 4, the following sub-rule shall be inserted, namely:—

“(4) Notwithstanding anything contained in sub-rule (3), in the case of a woman married to a person in the service of a Government in India, the Central Government may, if in the special circumstances of the case it thinks fit, exempt such person from the operation of that sub-rule.”

[No. F. 2/11/58-I.C.]

FATEH SINGH, Jt. Secy.

New Delhi, the 31st January 1959

**G.S.R. 146.**—In exercise of the powers conferred by section 18 of the Central Reserve Police Force Act, 1949 (66 of 1949), the Central Government hereby makes the following amendment to the Central Reserve Police Force Rules, 1955, namely:—

In the said rules, after rule 27, the following rule shall be inserted, namely—

“27A. *Responsibilities of members of the Force during suspension.*—(1) A member of the Force shall not by reason of his suspension cease to be a member of the Force; during the period of his suspension, the powers vested in him as such member shall be in abeyance, but he shall be subject to the same responsibilities, discipline and penalties to which he would have been subject if he were on duty.

(2) Every such member shall during the period of his suspension stay at Battalian Head Quarters or Detachment Head Quarters as the Commandant or Suspending Authority may direct:

Provided that the Commandant or Suspending Authority may, for special reasons, grant permission in writing to the member to stay elsewhere.

(3) A member under suspension shall deposit his arms and belt, if any, with the Quarter Master or Suspending Authority.

(4) A member under suspension shall not be employed on guard duty or any such duty which might entail exercise of his power as a member of the Force, nor shall be issued arms and ammunition. He shall not be detailed as motor transport driver or signal operator.

(5) A member of the Force under suspension shall be allowed reasonable facilities for the preparation of his defence.”

[No. 3/8/58-P.II]

S. BANERJEE, Dy. Secy.

MINISTRY OF FINANCE

(Department of Revenue)

CUSTOMS AND CENTRAL EXCISE

New Delhi, the 7th February 1959

**G.S.R. 147.**—The following draft of a further amendment to the Customs and Central Excise Duties Refund (Fixed Rates) Rules, 1958, which the Central Government proposes to make in exercise of the powers conferred by sub-section (3) of section 43B of the Sea Customs Act, 1978 (8 of 1878) and section 37 of the Central Excises and Salt Act, 1944 (1 of 1944), as in force in India and as applied to the State of Pondicherry, is published as required by the said sub-section (3)

of the said section 43B for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or after the 10th March, 1959.

2. Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government.

#### *Draft Amendment*

In the said Rules,—

For the entries shown against Serial No. 3 to the First Schedule, the following entries shall be substituted, namely:—

“Hydraulic brake fluid.....

One rupee and forty-one paise per Imperial gallon.”

[No. 9/F. No. 34/196/58.Cus-IV.]

**G.S.R. 148.**—In exercise of the powers conferred by sub-section (3) of section 43B of the Sea Customs Act, 1878 ('8 of 1878) and section 37 of the Central Excises and Salt Act, 1944 (1 of 1944), as in force in India and as applied to the State of Pondicherry, the Central Government hereby makes the following amendments in the Customs and Central Excise Duties Refund (Fixed Rates) Rules, 1958 the same having been previously published as required under the said sub-section (3) of section 43B, namely:—

#### *Amendments*

In the said Rules, —

1. In the First Schedule after item 7 and the entries relating thereto, the following shall be inserted, namely:—

“8. Steel products, namely:—

(1) Tin containers exported empty or filled	Rupees sixty per ton of tinplate content.
(2) Components of mathematical instruments, boxes, made of tinplate	Rupees sixty per ton of tinplate content.
(3) Hurricane lanterns . . . . .	Rupees fifty-nine per ton of steel content.
(4) Agricultural implements . . . . .	Rupees fifty per ton of steel content.
(5) Baling hoops . . . . .	Rupees fifty per ton of steel content.
(6) Ball and roller bearings . . . . .	Rupees fifty per ton of steel content.
(7) Belt fasteners . . . . .	Rupees fifty per ton of steel content.
(8) Bolts, nuts and rivets . . . . .	Rupees fifty per ton of steel content.
(9) Box strappings . . . . .	Rupees fifty per ton of steel content.
(10) Builders hardware . . . . .	Rupees fifty per ton of steel content.
(11) Collapsible gates . . . . .	Rupees fifty per ton of steel content.
(12) Cutlery . . . . .	Rupees fifty per ton of steel content.
(13) Dogspikes . . . . .	Rupees fifty per ton of steel content.
(14) Electric conduit pipes . . . . .	Rupees fifty per ton of steel content.
(15) Electrodes . . . . .	Rupees fifty per ton of steel content.
(16) E.P.N.S. ware . . . . .	Rupees fifty per ton of steel content.
(17) Expanded metal . . . . .	Rupees fifty per ton of steel content.
(18) Flour mill machinery and parts thereof	Rupees fifty per ton of steel content.
(19) Galvanised Iron buckets . . . . .	Rupees fifty per ton of steel content.
(20) Galvanised Iron bath tubs . . . . .	Rupees fifty per ton of steel content.
(21) Galvanised Iron drums . . . . .	Rupees fifty per ton of steel content.
(22) Galvanised Iron tanks . . . . .	Rupees fifty per ton of steel content.
(23) Galvanised Iron water bottles . . . . .	Rupees fifty per ton of steel content.
(24) Gauze, mesh, netting and chain link fencing manufactured from galvanised iron wire of gauge or gauges 16 S.W.G. or coarser than 16 S.W.G.	Rupees fifty per ton of steel content.

(25) Hand tools . . . . .	Rupees fifty per ton of steel content.
(26) Hardware . . . . .	Rupees fifty per ton of steel content.
(27) Hospital equipment . . . . .	Rupees fifty per ton of steel content.
(28) Iron nails . . . . .	Rupees fifty per ton of steel content.
(29) Machine tools . . . . .	Rupees fifty per ton of steel content.
(30) Mild steel pipes . . . . .	Rupees fifty per ton of steel content.
(31) Mild steel screws including wood screws, machine screws, and rivets . . . . .	Rupees fifty per ton of steel content.
(32) Mild steel washers, black and galvanised . . . . .	Rupees fifty per ton of steel content.
(33) Oilmill machinery and parts thereof . . . . .	Rupees fifty per ton of steel content.
(36) Steel drums, exported empty or filled . . . . .	Rupees fifty per ton of steel content.
(37) Steel furniture, including locker cabinets and other safe deposit equipment, strong doors, steel windows and doors, but excluding parts thereof made of stainless steel . . . . .	Rupees fifty per ton of steel content.
(38) Steel safes, coffers and cash boxes . . . . .	Rupees fifty per ton of steel content.
(39) Steel trunks . . . . .	Rupees fifty per ton of steel content.
(40) Tipping wagons . . . . .	Rupees fifty per ton of steel content.
(41) Tricycles . . . . .	Rupees fifty per ton of steel content.
(42) Trolleys . . . . .	Rupees fifty per ton of steel content.
(43) Weighing scales . . . . .	Rupees fifty per ton of steel content.
(44) Wire brushes . . . . .	Rupees fifty per ton of steel content.
(45) Wire rope . . . . .	Rupees fifty per ton of steel content.

2. In the Second Schedule, the following shall be added at the end, namely :—  
“The Customs and Central Excise Duties Drawback (Steel Products) Rules, 1958.”

[No. 10/F. No. 34/243/58. Cus-IV]

**G.S.R. 149.**—In exercise of the powers conferred by sub-section (3) of section 43B of the Sea Customs Act, 1878 (8 of 1878) and section 37 of the Central Excises and Salt Act, 1944 (1 of 1944), as in force in India and as applied to the State of Pondicherry, the Central Government hereby makes the following amendments in the Customs and Central Excise Duties Refund (Brand Rates) Rules, 1958, the same having been previously published as required under the said sub-section (3) of section 43B, namely:—

#### Amendments

In the said Rules,—

1. In the First Schedule after item 11 and the entry relating thereto, the following shall be inserted, namely:—

- “(12) Telecommunication equipment.
- “(13) Public address equipment.
- “(14) Duplicating stencils.
- “(15) Shoe uppers.”

2. In the Second Schedule, the following entries shall be added at the end, namely:—

- “The Customs Duties Drawback (Telecommunication Equipment) Rules, 1957
- “The Customs Duties Drawback (Public Address Equipment) Rules, 1958.
- “The Customs and Central Excise Duties Drawback (Duplicating Stencils) Rules, 1958.”

[No. 11/F. No. 34/300/58.Cus-IV.]

## CUSTOMS

New Delhi, the 7th February 1959

**G.S.R. 150**—In exercise of the powers conferred by sub-section (3) of section 43B of the Sea Customs Act, 1878 (8 of 1878), as in force in India and as applied to the State of Pondicherry, the Central Government hereby makes the following amendment in the Customs Duties Drawback (Fixed Rates) Rules, 1958, the same having been previously published as required under the said sub-section (3), namely—

## Amendment

In the First Schedule to the said Rules, for the existing item 6 and the entries relating thereto, the following shall be substituted, namely:—

“6 Jute manufactures—

- (i) Hessian—One rupee and seventy naye paise per ton
- (ii) Sacking—Two rupees and fifty-five naye paise per ton”

[No. 12/F. No. 34/52/58 Cus-IV.]

**G.S.R. 151**—In exercise of the powers conferred by sub-section (3) of section 43B of the Sea Customs Act, 1878 (8 of 1878), as in force in India and as applied to the State of Pondicherry, the Central Government hereby makes the following amendment in the Customs Duties Drawback (Brand Rates) Rules, 1958, the same having been previously published as required under the said sub-section (3), namely—

## Amendment

After the existing entries, in the First Schedule to the said Rules, the following shall be inserted, namely—

“12 Multiwall sacks of paper.”

[No. 14/F. No. 34/276/58 Cus-IV.]

M. A. RANGASWAMY, Dy. Secy.

## MINISTRY OF STEEL, MINES AND FUEL

(Department of Mines and Fuel)

New Delhi, the 27th January, 1959

**G.S.R. 152**—In pursuance of sub-section (1) of section 24 of the Mines and Minerals (Regulation and Development) Act, 1957 (67 of 1957), the Central Government hereby authorises, for the purposes specified in the said sub-section, the following officer of the Indian Bureau of Mines to exercise all or any of the powers specified in that sub-section:—

- (i) Director
- (ii) Controller of Mines.
- (iii) Deputy Controller of Mines
- (iv) Assistant Controller of Mines.
- (v) Assistant Field Officer

[No. MII-159(15)/58]

B. N. RAMAN, Dy. Secy.

## MINISTRY OF TRANSPORT AND COMMUNICATIONS

(Department of Communications &amp; Civil Aviation)

New Delhi, the 28th January 1959

**G.S.R. 153**—In exercise of the powers conferred by section 7 of the Indian Telegraph Act, 1885 (13 of 1885), the Central Government hereby makes the following further amendment in the Indian Telegraph Rules, 1951, namely:—

In rule 430 of the said Rules, in item II of the table below sub rule (1), in the column headed “Exchanges”, after the entry ‘Jorhat’ the entry ‘Kakinada’ shall be inserted.

2. This amendment shall come into force on and from the 16th March 1959.

[No. 3-6/59-R]

B. G. DESHMUKH, Under Secy.

(Department of Communications)

New Delhi, the 30th January 1959

**G.S.R. 154.**—In exercise of the powers conferred by the proviso to Article 309 of the Constitution, the President hereby makes the following rules for recruitment to the posts of Presidency Postmaster, Bombay, Calcutta and Madras, namely—

1. **Short title.**—These rules may be called the Indian Posts and Telegraphs Traffic Service (Presidency Postmasters) Recruitment Rules, 1959.

2. **Application.**—They shall apply to the recruitment to the posts of Presidency Postmasters, Bombay, Calcutta and Madras.

3. **Scales of pay.**—The scales of pay attached to the said posts shall be as follows:—

- (i) Presidency Postmasters, Bombay and Calcutta: Rs 1,000—50—1,400;
- (ii) Presidency Postmaster, Madras: Rs. 600—40—1,000—1,000—1,050—1,050—1,100—1,100—1,150

4. **Method of recruitment.**—Recruitment to the posts of Presidency Postmasters shall be by selection from the Postmasters' Service, Class II.

[No. SPA. 332-1/55]

New Delhi, the 2nd February 1959

**G.S.R. 155.**—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules for regulating the recruitment to Non-gazetted posts in the Posts and Telegraphs Directorate, namely:—

1. **Short title.**—These rules may be called the Posts and Telegraphs Directorate (Recruitment to Non-gazetted Posts) Rules, 1958.

2. **Applications etc.**—These rules shall apply to recruitment to the posts specified in item (1) of each of the Schedules I, II and III to these rules and the classification and scale of pay shall be as specified in items (2) and (3) of each of the said schedules.

3. **Method of recruitment etc.**—The age limits and the qualifications for recruitment to the posts aforesaid, the method of recruitment and other matters relating thereto shall be as specified in items (4) to (6) of each of the schedules aforesaid.

SCHEDULES

	I	II	III
(1) Name of post . . .	Senior Draughtsman.	Junior Draughtsman.	Tracer.
(2) Its classification . . .	Class III — Non-gazetted (whether gazetted or non-gazetted and whether Ministerial or non-Ministerial).	Class III — Non-gazetted (Non-Ministerial).	Class III — Non-gazetted (Non-Ministerial).
(3) Scale of Pay . . .	Rs. 150-7-185-EB-8-225.	Rs. 100-5-125-6-155-EB-6-185.	Rs. 60-4-120-EB-5-150.

	I	II	III
(4) Percentage of posts to be filled by :—	100% by promotion from Junior Draughtsmen in the Directorate. Should have put in at least 3 years' service as Draughtsman in the Directorate for being considered for promotion as Senior Draughtsman. Non-selection post.	50% by direct recruitment and 50% by promotion from Tracers. *If suitable tracers are not available the posts will be filled by direct recruitment. Promotion will be by selection.	50% by direct recruitment and 50% by promotion from Ferro-Printers. *If suitable Ferro-Printers are not available the posts will be filled by direct recruitment. Promotion will be by selection.
(i) Direct recruitment,			
(ii) Promotion :			
(a) *by Selection ;			
(b) Seniority-cum-fitness.			
(iii) Transfer . . .	..	..	..
(5) For direct recruitment only :			
(a) Age limit	..	18—25. The maximum age limit shall be relaxable in favour of certain categories e.g., Members of Scheduled Caste/ Scheduled Tribes, Displaced persons etc. in accordance with the orders issued by the Government of India from time to time.	18—25. The maximum age limit shall be relaxable in favour of certain categories e.g., Members of Scheduled Castes, Scheduled Tribes, Displaced persons etc. in accordance with the orders issued by Government of India from time to time.
(a) Educational and other qualifications required.	..	1. Educational :— Matriculation. 2. Technical :— Diploma in Draughtsmanship, Surveying etc. of a recognised Institution.	1. Educational :— Matriculation. 2. Technical :— Previous experience of 2 or 3 years in a drawing office in a tracing and printing job.
(c) Period of probation if any. . .	..	One year.	One year.
(6) For Promotion/ Transfer only.			
(a) Whether age and educational qualifications prescribed for direct recruitment will apply in case of appointment by Promotion/ Transfer.	..	No. Candidates must have at least 7 years' service as Tracer.	Only maximum age limit will not apply. Candidates must have two years' service.
(b) Grades / Services from which promotion / transfers are to be made.	From Junior Draughtsmen of the Directorate.	Tracers.	Ferro-printers.

## MINISTRY OF HEALTH

## CORRIGENDUM

New Delhi, the 29th January 1959

**G.S.R. 156.**—In the notification of the Government of India in the Ministry of Health No. G.S.R. 1211, published at pages 1258 to 1263 of the Gazette of India, Part II, Section 3(i), dated the 20th December, 1958 on—

1. Page 1260—under the heading “(ii) Other Foods”—
  - (i) in column 2, in line 10 insert “;” after “sugar syrup”;
  - (ii) read figure ‘5’ in column 3 against the entries in lines 5-7 relating to “Canned fish, Canned meats, Edible gelatin” in column 2 and extend the bracket facing lines 8-19 so as to cover the said entries; and
  - (iii) in column 2, in line 29 insert the word “specified” between the words “chemicals not otherwise” and “used as ingredients”.
2. Page 1263—in sub-para (ix) of para 13, in line 3 from the bottom, for “A. 10·05” read “A. 18·05”.

[No. F. 14-2/59-PH ]

T. V. ANANTANARAYANAN, Under Secy.

## ERRATA

In the Ministry of Health Notification No. F. 23-2/58-M III, dated 12th January, 1959, published in the Gazette of India Part II—Section 3(i) dated the 17th January 1959 as G.S.R. 70, the following Corrections are to be made:—

Page 131, against Technical Assistant—

Column 12, for the existing entry, substitute “Age—No; Educational qualifications—Yes.”

Column 13, after the existing entry add “Of Serologists’ Department and Antigen Production Unit”

Page 131, against Chemist—

Column 13, after the existing entry add “Of Serologists’ Department and Antigen Production Unit.”

## MINISTRY OF FOOD AND AGRICULTURE

## (Department of Agriculture)

New Delhi, the 28th January 1959

**G.S.R. 157.**—In exercise of the powers conferred by the proviso to Article 309 of the Constitution, the President hereby makes the following rules regulating the recruitment to the posts of computors in the Directorate of Economics and Statistics in the Department of Agriculture of the Ministry of Food and Agriculture, namely:—

1. **Short title.**—These rules may be called the Directorate of Economics and Statistics (Computors) Recruitment Rules, 1959.
2. **Application etc.**—These rules shall apply to the post specified in column 1 of the Schedule to these rules and the classification of the post and the scale of pay attached thereto shall be as specified in columns 2 and 3 of the said Schedule.
3. **Method of Recruitment etc.**—The method of recruitment to the post aforesaid, the age-limit and other qualifications required in respect of the candidates recruited to them and other matters, connected therewith shall be as specified in columns 4 to 13 of the Schedule aforesaid.

## SCHEDULE

Statement showing the Revised Recruitment Rules for Class III Technical Posts in the Directorate of Economics and Statistics.

Name of post	Its classification : whether gazetted or non-gazetted and whether Ministerial or non-ministerial		Scale of pay	Whether selection or non-selection post	Percentage of posts	
	1	2			3	4
Computors	Class III (Non-Gazetted—Non-Ministerial).		Rs. 60—4—120— 5—150+S.P. Rs. 15 p.m.	Selection	75%	25%
<hr/>						
to be filled by	For direct recruitment only				For promotion/transfer	
tion	Seniority	Transfer	Age	Educational and other qualifications required	Period of probation if any	Whether age and educational qualifications prescribed for direct recruitment will apply in case of appointment by promotion/ transfer
			limitus			Grades/ sources from which promotion/ transfer are to be made
	7	8	9	10	11	12
Nil	Nil	*Age not above 30 years.	1. At least a Second Class Matriculate.	1. At least 1 year.	The age and educational qualifications prescribed are for direct recruits and may be relaxed for departmental candidates.	By promotion from amongst Calculating Machine Operators, after they have put in at least one year's service as Calculating Machine Operators.
			2. Proficiency in the use of electrically operated calculating/tabulating Calculating Machines.	2. Proficiency in the use of electrically operated calculating/tabulating Calculating Machines.		

\*The age limits for direct recruitment will be relaxable in the case of Scheduled Castes/Tribes, displaced persons and other special categories in accordance with the general orders issued from time to time by the Government of India.

[No. F. 9-161/58-C(E).]  
B. R. KAPOOR, Under Secy.

## (Department of Food)

New Delhi, the 28th January 1959

**G.S.R. 158.**—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules regulating the methods of recruitments to Class IV posts in the National Sugar Institute, Kanpur, namely:—

**1. Short title.**—These rules may be called the National Sugar Institute, (Recruitment to Class IV Posts) Rules, 1959.

**2. Name, Classification etc. of Posts.**—The name of Class IV posts in the National Sugar Institute, Kanpur, their classification and scales of pay and the duties of the holders of the posts shall be as specified in columns 1 to 5 of the Schedule to these rules.

**3. Qualifications and Method of Recruitment.**—The method of recruitment to the posts aforesaid, the qualifications and age limit required in respect of the candidates recruited to them and other matters relating to the said posts shall be as set out in columns 6 to 15 of the Schedule aforesaid.

## SCHE

Name of posts	Its classification : whether gazetted or non-gazetted and whether Ministerial or non-ministerial	Scale of pay	Duties	No. of posts	Percentage of posts to be filled by				
					Di- rect re- cruit- ment	By selec- tion	Senio- rity cum fir- ness	Trans- fer	Trans- fer
1	2	3	4	5	6	7	8	9	
Time Keeper	Class IV. Non-gazetted (Semi-skilled)	40—2—60	Maintenance of attendance of the workers and other Class IV servants in the Experimental Sugar Factory. Preparation of Muster Rolls for daily paid workers and those paid from contingencies. Submission of statements to Labour Commissioner. Maintenance of keys of the Institute.	I	100%	..	..	..	..

**RULE**

For direct recruitment only			For promotion/Transfer only		
Age limits	Educational and other qualifications required	Period or Probation if any	Whether age & educational qualifications prescribed for direct recruitment will apply in case of app'tt. by promotion/ transfer	Grades/ sources from which promotion/ transfer are to be made	Composition of D.P.C.
10	11	12	13	14	15
Upto 30 years.	High School examination; experience of time keeping in a factory and knowledge of the Factory Act.	1 year.	..	..	..

1	2	3	4	5	6	7	8	9
Carpenter	Class IV Non-gazetted (Unskilled)	40-2-60	To carry out carpentry work in the factory. To help the students in the work shop.	1	100%	..	..	..
Blacksmith	Do.	Do.	To work as a blacksmith in the factory.	1	Do.	..	..	..
Motor Drivers	Do.	Do.	To work as a fitter during off-season in the factory ; to attend to all defects in the electrical fit- tings of the Institute and repair work.	3	Do.	..	..	..
Oilmen	Do.	30-1-35	To oil the fac- tory during the season. To help the fitter during the off season.	6	Do.	..	..	..
Packer	Do.	35-1-50	To pack and unpack par- cels of sugar standard boxes. To bottle, cap- sule and label sugar stand- ard bottles.	1	Do.	..	..	..
Jamadar Class IV.	Class IV Non-gazetted (unskilled).	Do.	To attend on the Director.	1	..	100%	..	..
Daftris	Do.	Do.	To attend to despatch of dak. Maintenance and arrange- ment of re- cord, ruling of registers, bind- ing work, etc.	2	..	100%	..	..
Orderlies	Do.	30-1-35	To attend on officers.	10	100%	..	..	..
Peons	Class IV Non-gazetted (Unskilled)	Do.	To attend to work in sec- tions, etc.	12	100%	..	..	..

10	11	12	13	14	15
Upto 30 years.	Experience in carpentry trade.	One year	Do.	Do.	Do.
Do.	Experience in smithy work.	Do.	Do.	Do.	Do.
Do.	Experience in electrical and mechanical work.	Do.	Do.	Do.	Do.
Do.	Experience in trade	Do.	Do.	Do.	Do.
Do.	Experience in packing work.	Do.	Do.	Do.	Do.
Experience as an orderly.	Do.	Do.	By promotion of suitable orderlies and peons.	1. Seniormost Professor/ Technologist/ Engineer— 2. Next Senior Officer— 3. Administrative Officer—	Chairman Member Member- Secretary
Experience of Dairymaids' work.	Do.	Do.	Do.	Do.	Do.
Upto 30 years.	Experience as peons	Do.	Do.	Do.	Do.
Upto 25 years.	Experience as peons	Do.	Do.	Do.	Do.

1	2	3	4	5	6	7	8	9
Store-Attendants.	Class IV Non-gazetted (Unskilled)	35—I—50	To work as Attendants in the store.	2	100%	..	..	..
Laboratory-Attendants.	Do.	..	To attend on officers and students working in the Laboratory and assist in the carrying out of research.	10	50%	..	50%	..
Senior-Khalasi	Do.	..	To hoist and dismantle machinery in connection with the repair and over-hauling.	1	..	..	100%	..
Junior Khalasi	Do.	..	30—I—35	Do.	..	1	100%	..
Coolies	Do.	..	Do.	To work coolies.	26	12	100%	..
Watchmen & Gate-keeper	Do.	..	Do.	To work as Chowkidar.	7	Do.	..	..
Jr. Fieldman- cum-Store- Keeper.	Class IV Non-gazetted. (skilled).	40—I—50 —2—60	1. Receipt and issue of Agr. stores and maintenance of store records. 2. Look after the farm work i.e., planting, harvesting etc. 3. Help Agricultural Supervisor in the experimental research work under guidance of Asstt. Prof. of Sugar Chemistry.	1	100%	..	..	..
Jr. Gestetner Operator.	Do.	40—I—50 —2—60	1. Taking out one prints on the duplicating machine. 2. Cyclostyling of circulars. 3. Any other work entrusted.	..	..	100%	..	..

10	11	12	13	14	15
Upto 25 years.	<i>Middle pass</i> with experience of handling different types of stores. Must know cycling. Preference will be given to persons with higher educational qualifications.	One year.	..	..	..
Upto 30 years for direct recruits.	Middle pass. Preference will be given to Matriculates.	Do. Qualification will apply.	Promotion of suitable orderlies, peons and Lab. coolies	1. Senior most Professor/Technologist/Engineer—Chairman 2. Next Senior Officer—Member 3. Administrative Officer—Member-Secretary.	
..	Experience in trade	Do.	Do.	By promotion of junior Khalasi.	Do.
Upto 30 years.	Do.	Do	..	..	..
Do.	Experience of work in some factory.	Do	..	..	..
Do.	Experience as Chowkidar in Government office or factory.	Do	..	..	..
Upto 30 years.	Should have read upto Matic with 3 years experience of farm work or Diploma in Agriculture with one year farm experience. Preference to candidates having experience in Sugarcane cultivation.	Do.	..	..	..
..	Must have passed VIII standard and have experience of working on Duplicating machine.	Do	..	Daftry	1. Senior most Professor Technologist/Engineer—Chairman. 2. Next Senior Officer—Member 3. Administrative Officer—Member-Secretary

1	2	3	4	5	6	7	8	9
Dark Room Printer.	Class IV. Non-gazetted (skilled).	35—I—50	To assistant in dark room operations and maintain ins- truments in working order.	One	..	100%	..	..
Ploughman .	Do. .	30—I—35	Ploughing of fields and upkeep of live stock.	One	100%	..	..	..
Farm Labour- er.	Do. .	Do.	Weeding, spad- ing, compost- ing etc. for the farms.	One	100%	..	..	..
Sweeper .	Do. .	30—I—35	Cleaning of Four rooms, Lat- rines, Varan- dahs Labora- tories, etc.	100%	..	..	..	..

Recruitment rules for chowkidars are same as those for watch men and gate-keepers.

NOTE 1.—The upper-age limit prescribed for direct recruitment shall be relaxable in case of displaced persons etc. etc. to the extent granted by the Government of India.

NOTE 2.—Appointments made otherwise than by promotion/transfer shall be subject to the Ministry of Home Affairs, from time to time.

10	11	12	13	14	15
..	Literate upto Class VIII Standard.	One year	..	Orderlies, Peons or Lab. coolies.	..
	Relaxable in the case of candidates having extensive experience in photographic work.				
	2. At least 2 years experience in developing and printing ; knowledge of filing negatives and handling sensitized material in dark room.				
	3. Working experience in any studio or Photo-Stat Section for at least one year. Should be prepared to give practical tests.				
Below 30 years	Good physique and experience in ploughing. Test in plough may be given.	1 year	..	..	..
Do. .	Good physique, capable of doing hard spade work in the farm ; should look after the bullocks.	One year	..	..	..
Do. .	Hardy and sturdy, capable of doing both dry and wet sweeping.	One year	..	..	..

candidates belonging to exceptional categories e.g., Schedule Caste/Tribes and Ministry of Home Affairs from time to time.

orders regarding communal representation issued by the Government of India,

[No. F. 8-65/58-S. Admn.]

S. D. UDHRRAIN, Under Secy.

## MINISTRY OF RAILWAYS

## (Railway Board)

New Delhi, the 7th February, 1959

**G.S.R. 159.**—In exercise of the powers conferred by the proviso to Article 309 of the Constitution, the President hereby makes the following rules regulating the recruitment to the Indian Railway Service of Engineers, namely:—

## RULES

## PART I—GENERAL

1 These Rules may be called the Indian Railway Service of Engineers Recruitment Rules

2. For the purpose of these Rules—

- (a) "Government" means the Government of India.
- (b) "Commission" means the Union Public Service Commission.
- (c) "Service" means the Indian Railway Service of Engineers. The various grades of posts included in the Service, their classification pay scales and special conditions of Service shall be as included in Appendix I to these rules.
- (d) The expressions 'Scheduled Castes' and 'Scheduled Tribes' have the meanings assigned to them in the Constitution.

3 Recruitment to the Service shall be by the following methods:—

- (a) By competitive examination held in India in accordance with Part II of these Rules
- (b) By promotion of specially qualified class II officers, including officiating class II officers of the Civil Engineering Department.

Not more than 33-1/3 per cent. of the vacancies will be filled by departmental promotion; this percentage is likely to be varied from time to time if found necessary.

- (c) By occasional admission of other qualified persons appointed by the Government on the recommendations of the Commission.

4 Subject to the provisions of rule 3, Government shall determine the method or methods to be employed for the purpose of filling any particular vacancies, or such vacancies as may require to be filled during any particular period and the number of candidates to be recruited by each method.

5 Appointments to the Service made otherwise than by promotion will be subject to orders issued from time to time by the Ministry of Home Affairs regarding special representation in the Services for specific sections of the people.

## PART II—RECRUITMENT BY COMPETITIVE EXAMINATION

6 A competitive examination for admission to the Service shall be held in India at such times and places as may be prescribed in the notice issued by the Commission. Every such Notice will, when possible, announce the number of vacancies to be filled on the result of the examination.

7. If the examination held under this part of these Rules is a combined examination for the purpose of making appointments to more than one Service or Department the following provisions shall apply:—

- (a) Any person may apply to be admitted as a candidate for appointment in all or any of these Services or Departments for which he is eligible. If he wishes to compete for appointment in more than one Service or Department, he shall state in his application form which Services or Departments he wishes to compete for and the order of his preference for them, and in such case only one application form will be necessary and one payment of the fees referred to in rule 17 (and Appendix II) will be sufficient.
- (b) Government shall assign successful candidates to each Service or Department on a consideration of all circumstances including any personal preference expressed by the candidate.

8. A candidate must apply to be admitted to the examination before such date, in such manner, and in such form as the Commission may prescribe.

9. A candidate must be either,

- (a) a citizen of India, or
- (b) a subject of Sikkim, or
- (c) person of Indian origin who has migrated from Pakistan with the intention of permanently settling in India, or
- (d) a subject of Nepal or of a Portuguese or a former French possession in India.

NOTE 1.—The appointment of candidates in categories (c) and (d) above will be subject to the issue of certificates of eligibility in their favour by the Government of India. The certificate of eligibility in respect of candidates belonging to category (c) will be valid only for a period of one year from the date of his appointment beyond which he would be retained in service only if he has become a citizen of India. Certificates of eligibility will not, however, be necessary in the case of candidates belonging to any one of the following categories:—

- (1) Persons who migrated to India from Pakistan before the 19th July 1948, and have ordinarily been residing in India since then.
- (2) Persons who migrated to India from Pakistan after the 18th July 1948, and have got themselves registered as citizens.
- (3) Non-citizens of categories (c) and (d) above who entered service under the Government of India before the commencement of the Constitution, viz. 26th January 1950 and who have continued in such service since then. Any such person who re-entered or may re-enter such service with break after the 26th January 1950, will, however, require certificate of eligibility in the usual way.

NOTE 2.—A candidate in whose case a certificate of eligibility is necessary may be admitted to the examination and he may also be provisionally appointed subject to the necessary certificate being eventually issued in his favour by Government.

10. (a) No male candidate who has more than one wife living shall be eligible for appointment to any of the Services appointments to which are made on the results of this competitive examination unless the Government of India after being satisfied that there are special grounds for doing so, exempt any male candidate from the operation of this rule.

(b) No female candidate who has married a person having already a wife living shall be eligible for appointment to any of the services appointments to which are made on the results of this competitive examination unless the Government of India after being satisfied that there are special grounds for doing so, exempt any female candidate from the operation of this rule.

11. (1) On the date prescribed by the Commission in their Notice of the examination issued under Rule 6, a candidate must have attained the age of 20 and must not have attained the age of 25 provided that the upper age limit of 25 will be relaxable upto 28 in the case of candidates who are permanently employed in Railway service or who were continuously in the temporary Railway service for at least 3 years or who were within the above specified age limits on the date of their employment in Railway service, such relaxation being limited to two examinations only.

(2) Departmental candidates must obtain previous permission of the Head of the Department to appear for the examination.

(3) The upper age limits prescribed above will be relaxable:—

- (i) Upto a maximum of five years if a candidate belongs to a Scheduled Caste or a Scheduled Tribe.
- (ii) Upto a maximum of three years if a candidate is a *bonafide* displaced person from Pakistan or from the unliberated areas of Jammu and Kashmir.

This concession will not, however, be admissible to a candidate who has already appeared at five previous examinations or in the case of Railway employees at seven previous examinations.

- (iii) Upto a maximum of eight years if a candidate belongs to a Scheduled Caste or a Scheduled Tribe and is also a *bonafide* displaced person from Pakistan or from the unliberated areas of Jammu and Kashmir.

This concession will not, however, be admissible to a candidate who has already appeared at ten previous examinations or in the case of Railway employees at twelve previous examinations.

- (iv) Upto a maximum of three years if a candidate is a resident of the former French Settlements which have now become part of India and has been receiving his education through the medium of French.
- (v) Upto a maximum of 4 years if a candidate belongs to the Andaman and Nicobar Islands.

NOTE.—Candidates who are admitted to the examination under the age concession mentioned in this rule will not be eligible for appointment if, after submitting the application, they resign from service either before or after taking the examination. They will, however, continue to be eligible if they are retrenched from the service or post after submitting the applications.

SAVE AS PROVIDED ABOVE THE AGE LIMITS PRESCRIBED CAN IN NO CASE BE RELAXED.

12. A candidate must satisfy the Commission that his character is such as to make him suitable for appointment to the Service/Department.

13. A candidate must have:—

- (a) obtained a degree in Engineering from a university incorporated by an Act of the Central or of a State Legislature in India; or
- (b) passed Sections A and B of the Associate Membership Examination in the Institution of Engineers (India) or have any other educational qualifications excepting a B.E. degree (Tele-Communication) awarded by Indian Universities recognised by that institution as exempting from passing these sections; or
- (c) obtained an Engineering degree of one of the universities mentioned in Appendix III under the conditions prescribed in that Appendix; or
- (d) passed the Honours Diploma examination in Civil, Mechanical or Electrical Engineering of the Loughborough College Leicestershire, provided the candidate has passed the common preliminary examination or has been exempted therefrom.

NOTE I.—In exceptional cases the Commission may treat as a qualified candidate, a candidate who though he has not all or any of the qualifications prescribed in this rule, has passed examinations conducted by other institutions of a standard which in the opinion of the Commission justifies his admission to the examination.

NOTE II.—Candidates who have appeared at an examination the passing of which would render them eligible to appear at this examination, but have not been informed of the result, may apply for admission to the examination. Candidates who intend to appear at such a qualifying examination may also apply provided that the qualifying examination is completed before the commencement of this examination. Their applications will be accepted provisionally and they will be required to furnish proof of having passed the examination as soon as possible and in any case not later than two months after the commencement of the examination.

14. No candidate shall be admitted to the examination unless he holds a certificate of admission from the Commission.

The decision of the Commission as to the eligibility or otherwise of a candidate for admission to the examination shall be final.

15. A candidate found guilty of impersonation or of submitting fabricated documents or documents which have been tampered with or of making statements which are incorrect or false or suppressing material information or of using or attempting to use unfair means in the examination hall or otherwise resorting to any other irregular or improper means for obtaining admission to the examination may, in addition to rendering himself liable to a criminal prosecution be debarred either permanently or for a specified period—

- (a) by the Commission from admission to any examination or appearance at any interview held by the Commission for selection of candidates; and
- (b) by the Central Government from employment under the Government.

16. No recommendations except those required in the application form shall be taken into consideration. Any attempt on the part of a candidate to obtain support for his candidature by other means may disqualify him for admission.

17. Candidates must pay such examination fees as Government may prescribe (see Appendix II). No claim for a refund of any of these fees will be entertained nor can they be held in reserve for any other examination or selection.

18. Examinations under these Rules shall be conducted by the Commission in the manner prescribed in the regulations which form Appendix IV to these Rules.

19. (a) After every examination the Commission shall make a list of the candidates in order of their merit as disclosed by the aggregate marks finally awarded to each candidate, and in that order so many candidates upto the number of unreserved vacancies announced under rule 6 above, as are found by the Commission to be qualified by the examination and are considered by Government or the appointing authority, as the case may be, to be suitable in all other respects, shall be appointed.

(b) Appointment to vacancies to be filled by members of a particular community or communities shall be made by Government or the appointing authority, as the case may be, in the order of merit of the candidates belonging to the particular community or communities, provided they have qualified in the examination and are in all respects suitable for employment in the service.

(c) Success in the examination confers no right to appointment, unless Government are satisfied, after such enquiry as may be considered necessary that the candidate is suitable in all respects for appointment to the public service.

20. A candidate must be in good mental and bodily health and free from any physical defect likely to interfere with the discharge of his duties as an officer of the Service. A candidate who (after such physical examination as Government or the appointing authority, as the case may be, may prescribe) is found not to satisfy those requirements will not be appointed. Only candidates who are likely to be considered for appointment will be physically examined.

In order to prevent disappointment candidates are advised to have themselves examined by a Government Medical Officer of the standing of a Civil Surgeon, before applying for admission to the examination. Particulars of the nature of the Physical test to which candidates will be submitted before appointment and of the standard required can be had from the Commission.

21. (a) Appointments shall be made on probation for a period of three years.

(b) If, in the opinion of Government, the work or conduct of an officer on probation is unsatisfactory, or shows that he is unlikely to become efficient, Government may discharge him forthwith.

(c) On the conclusion of his period of probation, Government may confirm the officer in his appointment, or if his work or conduct has in the opinion of Government been unsatisfactory Government may either discharge him from the Service or may extend his period of probation for such further period as Government may think fit.

(d) If no action is taken by Government under sub-rule (b) or (c) of this rule, the period after the prescribed period of probation shall be treated as an engagement from month to month, terminable on either side on the expiration of one calendar month's notice in writing.

(e) If the power to make appointments in the Service is delegated by Government to any officer that officer may exercise any of the powers of Government under this rule.

22 Probationers will also be required to pass a test in Hindi before confirmation.

#### APPENDIX I

##### *Particulars regarding the Indian Railway Service of Engineers.*

(See Rule 2)

1. The probationary officers will be on probation for a period of three years during which their Services will be liable to termination on three months' notice on either side. They shall undergo practical training for the first two years. Those favourably reported upon at the end of the two years' training will be given charge of the working posts provided they pass departmental and other examinations as may be prescribed. It must be noted that a second chance to pass any examination will, as a rule, not be given except under exceptional circumstances and only provided the other record of the candidate during the period of his training is such

as to justify such a relaxation being made. Failure to pass the examination may result in termination of services and will, in any case, involve stoppage of increment. At the end of one year in the working post, the officers will be required to pass a final examination both practical and theoretical and will, if successful, be confirmed provided they are considered otherwise fit for permanent appointment. In cases, where the probationary period has to be extended for failing to pass any or all the departmental examinations, within the stipulated period, on their passing the departmental examinations, and being confirmed after expiry of the extended period of probation, the drawal of the first and subsequent increments will be regulated by Rules and Orders in force from time to time. On confirmation, their agreement will continue to remain in force subject to their service being terminable on 6 months' notice on either side.

Probationers will also have to undergo training at the Railway Staff College, Boroda, in two phases, once in each of the two years' training. The test in the College is compulsory and a second chance, in the event of failure, will not be given except in exceptional circumstances and provided the record of the officer is such that such relaxation may be made. Failure to pass the test may involve the termination of services and in any case, the officers will not be confirmed till they pass the test, their period of training and/or probation being extended as necessary.

On appointment a probationer shall execute an agreement binding himself and one surety jointly and severally to refund in the event of his failing to complete the probation to the satisfaction of the Central Government any moneys paid to him consequent on his appointment as Probationer.

NOTE.—The period of training and the period of probation against a working post may be modified at the discretion of Government. If the period of training is extended in any case due to the training not having been completed satisfactorily, the total period of probation will be correspondingly extended.

2. (a) Probationers will not be permitted to apply for appointment elsewhere or appear for examination or selection for recruitment to other services.

(b) In cases where Probationers have already appeared at the Combined Competitive Examinations prior to their allotment to the Railway Service and qualify for appointment to services other than Railway Services, the question of their release from Railway Service will be considered only when they are prepared to refund in cash the cost of the training and other moneys paid to them during the period of their probation before they are actually relieved.

3. Officers will be required to pass a riding test within the probationary period of three years. A probationer who fails to pass the test within the period of probation due to his own fault will not ordinarily be confirmed or allowed any increment raising his pay beyond the 380 stage in the time scale. If, in any case, however, an officer is unable to get facilities for training in riding and passing the riding test during the period of probation though no fault of his own, his confirmation will not be held up nor will his increments be stopped. In such cases, the officer should however, pass the riding test within a period of five years from the date of joining service, failing which his subsequent increment will be stopped till he passes the test.

NOTE.—An officer who has obtained a certificate from Government or a recognised Indian University or Engineering Institute of having passed the riding test before appointment as a probationer, may be exempted by the General Manager/Chief Administrative Officer, from passing the riding test, provided the test passed is of the same standard.

4. Officers will be required to pass a language examination in Hindi in Deva Nagri Script by the Lower Standard modified to suit the requirements of the Railways before they can be confirmed or before their pay can be raised from Rs. 350 p.m. to Rs. 380 p.m. in the time-scale during the period of probation. Officers who can speak Hindi and read and write it may be exempted by the General Manager/Chief Administrative Officer from passing the language examination. Failure to pass the examination within the probationary period involves liability to removal from service.

NOTE.—Some knowledge of Hindi prior to entry into service would be of advantage in passing departmental examinations.

5. Officers of the Indian Railway Service of Engineers recruited under these regulations:—

(a) will be eligible to pensionary benefits; and

(b) shall subscribe to the State Railway Provident Fund under the Rules of that Fund

as applicable to railway servants appointed on the date they join service.

6. Pay will commence from the date of joining service. Service for increments will also count from the same date. Particulars as to pay are contained in para. 10 of this Appendix.

7. Officers recruited under these regulations shall be eligible for leave in accordance with the rules for the time being in force applicable to officers of Indian Railways.

8. Officers will ordinarily be employed throughout their service on the Railway to which they may be posted on first appointment and will have no claim, as a matter of right, to transfer to some other Railway. But the Government of India reserve the right to transfer such officers, in the exigencies of service, to any other Railway or project in or out of India. Officers will be liable to serve in the Stores Department of the Indian Railways if and when called upon to do so.

9. The relative seniority of officers appointed under rule 3(a) will ordinarily be determined by their order of merit in the competitive examination. The Government of India, however, reserve the right of fixing seniority at their discretion in individual cases. They also reserve the right of assigning to officers appointed under rules 3(b), 3(c) and 4 positions in the seniority list at their discretion.

NOTE.—If the period of training and consequently the period of probation is extended in any particular case due to the training not having been completed satisfactorily, the officer concerned is liable to lose in seniority.

10. The following are the rates of pay admissible to officers appointed in India to the Indian Railway Service of Engineers:—

Junior Scale.—Rs. 350—350—380—380—30—590—E.B.—30—770—40—850.

Senior Scale.—Rs. 600 (1st to 6th year)—40—1,000—1,000—1,050—1,050—1,100—1,100—1,150.

Junior Administrative grade.—Rs. 1,300—60—1,600.

Senior Administrative grade.—Rs. 1,800—100—2,000—125—2,250.

NOTE.—Probationary officers will start on the minimum of the junior scale and will count their service for increment from the date of joining. They will, however, be required to pass any departmental examination or examinations that may be prescribed before their pay can be raised from Rs. 350 p.m. to Rs. 380 p.m. in the time-scale.

If they fail to pass the departmental examination within the probationary period, increments from Rs. 350 to Rs. 380 will be stopped. In cases where Probationary period is to be extended for failing to pass all departmental examinations within the stipulated period, on their passing the departmental examination, the drawal of the first and subsequent increments will be regulated by Rules and Orders in force from time to time.

11. The increments will be given subject to sub-para. to Note under para. 10 above, for approved service only, and in accordance with the rules of the Department.

12. Promotions to the administrative grades are dependent on the occurrence of vacancies in the sanctioned establishment and are made wholly by selection, mere seniority is considered to confer no claim for promotion.

## APPENDIX II

### Fees

(Vide Rule 17)

Candidates seeking admission to the examination must pay the following fees:—

(a) To the Commission:—

(i) Re. 1/- when asking for application form and connected documents.

This amount should be paid to the Commission by Money Order. Local candidates, however, may pay cash at the counter. The Commission will not accept payment made otherwise.

(ii) Rs. 81.50 (Rs. 19.62 in the case of candidates belonging to Scheduled Castes and Scheduled Tribes) with the completed application form.

This amount should be paid by means of Treasury Receipt or CROSSED Indian Postal Orders payable to Secretary, Union Public Service Commission. The Commission will not accept payment made otherwise.

(b) To the Medical Board:—

Rs. 16/- before examination by a Medical Board, if selected for appointment.

This amount should be paid in cash to the Medical Board through the General Manager of the Railway concerned at the time of the Medical examination.

2. Once an application has been considered by the Commission and the decision communicated to the candidate, no claim from the candidate for a refund of the fee paid by him to the Commission will be entertained nor can this fee be held in reserve for any other examination or selection. If, however, a candidate is not admitted to the examination by the Commission, a refund of Rs. 75 (Rs. 18.75 in the case of candidates belonging to Scheduled Castes and Scheduled Tribes) will be made to him.

3. The Commission may at their discretion remit the prescribed fee where they are satisfied that the applicant is a bona fide displaced person from Pakistan or from the unliberated areas of Jammu and Kashmir and is not in a position to pay the prescribed fee. The fee of Re. 1/-, however, must be paid even by a displaced person when asking the Commission for form and this amount will be refundable to him, if on receipt of his application, his claim to be a displaced person is accepted by the Commission and his fee is remitted.

#### APPENDIX III

*List of University degrees which will be recognised for admission to the examination [vide Rule 18(c)]*

*Aberdeen*—B.Sc. Enginreing (Honours or Ordinary degree).

*Cambridge*—Ordinary degree B.A. in Engineering provided the graduate has passed in the principal subjects, Enginreing I, Engineering II and Engineering III.

*Durham*—B.Sc. in Marine Engineering.

*Glasgow*—B.Sc. in Naval Architecture (Honours or Ordinary degree).

**NOTE.**—The above degrees will be accepted only if taken after three years' study and the passing of the regular examinations in the several Universities. The conditions as to three years' study will not, however, apply to Indians who, having, taken an Indian degree, which exempts them from part of the University course, shall have taken one of the above degrees in less than three years in accordance with the regulations of the University concerned.

#### APPENDIX IV

*Standard and Syllabus of the Examination*

(Vide Rule 18)

Subject	Marks
(a) Compulsory—	
(1) English (including Essay and Precis writing)	100
(2) General Knowledge	100
(3) Applied Mechanics (including Strength of Materials and Theory Structures).	200
(4) Construction	

**Paper I—**

(i) Building Materials and Building Construction  
 (ii) Design of Structure

100 }

**Paper II—**

Roads, Railways (General principles governing the design of Railways, Roads Harbours and other works)

100 }

200

(5) Surveying  
 (6) Sanitary Engineering and Water Supply  
 (7) Personality Test

100

100

300

**TOTAL****1,100****(b) Optional—Any two of the following subjects:—**

(1) Prime Movers  
 (2) Hydraulics and Hydraulic Machines  
 (3) Electrical Engineering  
 (4) Architecture and Town Planning  
 (5) Mechanical Engineering

100

100

100

100

100

**Note 1—All papers must be answered in English**

**Note 2—Candidates must write the papers in their own hand. In no circumstances will they be allowed the help of an amanuensis (scribe) to write down answers for them**

**2** A candidate must produce a certificate that he has undergone satisfactory training in Surveying including practical surveying in a college or institution recognised by the Commission for the purpose of admission to the competitive examination for the Service. The training must be equivalent to that given in full course for a degree or diploma in Civil Engineering. The certificate must be signed by the Principal or the Head of the Department of Surveying in the College or Institution.

For this purpose the Commission will ordinarily accept a certificate from any college or institution mentioned in Rule 13 of the preceding rules, or from any college which is affiliated to any University mentioned in the same Rule. The Commission, however, reserve to themselves the power not to accept any certificate if they are satisfied that the practical training referred to therein falls short of the requirements of the Service and their decision in the matter will be final.

**3** The standard and syllabus of the examination will be such as the Commission shall prescribe.

**4** The Commission have discretion to fix qualifying marks in any or all the subjects at the examination.

**5** The Commission will summon at their discretion only those candidates whom they consider suitable for interview for the Personality Test.

**6** Special attention will be paid in the Personality Test to assessing the candidates' capacity for leadership, initiative and intellectual curiosity, tact and other social qualities, mental and physical energy, powers of practical application and integrity of character.

**7** From the marks assigned to candidates in each subject such deduction will be made as the Commission may consider necessary in order to secure that no credit is allowed for merely superficial knowledge.

**8** Deductions upto 5 per cent of the maximum marks for the written subjects will be made for illegible handwriting.

**9** Credit will be given for good English including orderly, effective and exact expression combined with due economy of words in all subjects of the examination and not only in subjects which are specially devoted to English.

**G.S.R. 160.**—In exercise of the powers conferred by the proviso to Article 309 of the Constitution, the President hereby makes the following rules regulating the recruitment to the Signal Engineering Department of the Superior Revenue Establishment of the Indian Railways, namely:—

## RULES

### PART I.—GENERAL

1. These Rules may be called the Signal Engineering Department of the Superior Revenue Establishment of Indian Railways Recruitment Rules.

2. For the purpose of these Rules—

(a) "Government" means the Government of India.

(b) "Commission" means the Union Public Service Commission.

(c) "Service" means the Signal Engineering Department of the Superior Revenue Establishment of Indian Railways. The various grades of posts included in the Service their classification, pay scales and special conditions of Service shall be as included in Appendix I to these Rules.

(d) The Expression 'Scheduled Castes' and 'Scheduled Tribes' have the meanings assigned to them in the Constitution.

3. Recruitment to the Service shall be by the following methods:—

(a) By competitive examination held in India in accordance with Part II of these Rules.

(b) By promotion of specially qualified Class II officers, including officiating Class II officers of the Signal Engineering Department.

Not more than 33 1/3 per cent. of the vacancies will be filled by departmental promotion; this percentage is liable to be varied from time to time if found necessary.

(c) By occasional admission of other qualified persons appointed by the Government on the recommendation of the Commission.

4. Subject to the provisions of rule 3, Government shall determine the method or methods to be employed for the purpose of filling any particular vacancies or such vacancies as may require to be filled during any particular period, and the number of candidates to be recruited by each method.

5. Appointments to the Service made otherwise than by promotion will be subject to orders issued from time to time by the Ministry of Home Affairs regarding special representation in the Services for specific sections of the people.

### PART II.—RECRUITMENT BY COMPETITIVE EXAMINATION

6. A competitive examination for admission to the Service shall be held in India at such times and places as may be prescribed in the Notice issued by the Commission. Every such Notice will when possible, announce the number of vacancies to be filled on the result of the examination.

7. If the examination held under this part of these Rules is a combined examination for the purpose of making appointments to more than one Service or Department, the following provisions shall apply:—

(a) Any person may apply to be admitted as a candidate for appointment in all or any of these Services or Departments for which he is eligible. If he wishes to compete for appointment in more than one Service or Department, he shall state in his application form which Services, or Departments he wishes to compete for and the order of his preference for them, and in such case only one application form will be necessary and one payment of the fees referred to in rule 17 (and Appendix II) will be sufficient.

(b) Government shall assign successful candidates to each Service or Department on a consideration of all circumstances including any personal preference expressed by the candidate.

8. A candidate must apply to be admitted to the examination before such date, in such manner and in such form as the Commission may prescribe.

9. A candidate must be either—

- (a) a citizen of India, or
- (b) a subject of Sikkim, or
- (c) a person of Indian origin who has migrated from Pakistan with the intention of permanently settling in India; or
- (d) a subject of Nepal or of a Portuguese or a former French possession in India.

NOTE 1.—The appointment of candidates in categories (c) and (d) above will be subject to the issue of certificates of eligibility in their favour by the Government of India. The certificate of eligibility in respect of candidates belonging to category (c) will be valid only for a period of one year from the date of his appointment beyond which he would be retained in service only if he has become a citizen of India. Certificates of eligibility will not, however, be necessary in the case of candidates belonging to any one of the following categories:—

1. Persons who migrated to India from Pakistan before the 19th July 1948, and have ordinarily been residing in India since then.
2. Persons who migrated to India from Pakistan after the 18th July 1948, and have got themselves registered as citizens.
3. Non-citizens who entered service under the Government of India before the commencement of the Constitution, *viz.*, 26th January 1950 and who have continued in such service since then. Any such person who re-entered or may re-enter such service with break after the 26th January 1950, will, however, require certificate of eligibility in the usual way.

NOTE 2.—A candidate in whose case a certificate of eligibility is necessary may be admitted to the examination and he may also be provisionally appointed subject to the necessary certificate being eventually issued in his favour by Government.

10. (a) No male candidate who has more than one wife living shall be eligible for appointment to any of the Services appointments to which are made on the results of this competitive examination unless the Government of India after being satisfied that there are special grounds for doing so, exempt any male candidate from the operation of this rule.

(b) No female candidate who has married a person having already a wife living shall be eligible for appointment to any of the services appointments to which are made on the results of this competitive examination unless the Government of India after being satisfied that there are special ground for doing so, exempt any female candidate from the operation of this rule.

11. (1) On the date prescribed by the Commission in their Notice of the examination issued under Rule 6, a candidate must have attained the age of 21 and must not have attained the age of 25 provided that the upper age limit of 25 will be relaxable upto 30 in the case of candidates who are permanently employed in Railway Service or who were continuously in the temporary Railway Service for at least 3 years or who were within the above specified age limits on the date of their employment in Railways Service, such relaxation being limited to three examinations only.

(2) Departmental candidates must obtain previous permission of the Head of the Department to appear for the examination.

(3) The upper age limits prescribed above will be relaxable:—

- (i) Upto a maximum of five years if a candidate belongs to a Scheduled Caste or a Scheduled Tribe.
- (ii) Upto a maximum of three years if a candidate is a *bona fide* displaced person from Pakistan or from the unliberated areas of Jammu and Kashmir

This concession will not, however, be admissible to a candidate who has already appeared at four previous examinations or in the case of Railway employees at seven previous examinations.

- (iii) Upto a maximum of eight years if a candidate belongs to a Scheduled Caste or a Scheduled Tribe and is also a *bona fide* Displaced Person from Pakistan or from the unliberated areas of Jammu and Kashmir.

This concession will not however, be admissible to a candidate who has already appeared at nine previous examinations or in the case of Railway employees at twelve previous examinations.

- (iv) Upto a maximum of three years if a candidate is a resident of the former French Settlements which have now become part of India and has been receiving his education through the medium of French.
- (v) Upto a maximum of 4 years if a candidate belongs to the Andaman and Nicobar Islands.

NOTE.—Candidates who are admitted to the examination under the age concession mentioned in this rule will not be eligible for appointment if, after submitting the application, they resign from service either before or after taking the examination. They will, however, continue to be eligible if they are retrenched from the service or post after submitting the applications.

**SAVE AS PROVIDED ABOVE THE AGE LIMITS PRESCRIBED CAN IN NO CASE BE RELAXED**

12. A candidate must satisfy the Commission that his character is such as to make him suitable for appointment to the Service/Department.

13. A candidate must have—

- (a) obtained a degree in Engineering from a university incorporated by an Act of the Central or of a State Legislature in India; or
- (b) passed Sections A and B of the Associate Membership Examination of the Institution of Engineers (India), or have any other educational qualifications recognised by that institution as exempting from passing these sections; or
- (c) obtained an engineering degree of one of the universities mentioned in Appendix III under the conditions prescribed in that Appendix; or
- (d) passed the Honours Diploma examination in Civil, Mechanical, or Electrical Engineering of the Loughborough College, Leicestershire, provided the candidate has passed the common preliminary examination or has been exempted therefrom; or
- (e) obtained the B.E (Tele-communication) degree awarded by Indian Universities.

NOTE I.—In exceptional cases the Commission may treat as a qualified candidate a candidate who, though he has not all or any of the qualifications prescribed in this rule, has passed examinations conducted by other institutions of a standard which in the opinion of the Commission justifies his admission to the examination.

NOTE II.—Candidates who have appeared at an examination the passing of which would render them eligible to appear at this examination, but have not been informed of the result, may apply for admission to the examination. Candidates who intend to appear at such a qualifying examination may also apply, provided that the qualifying examination is completed before the commencement of this examination. Their applications will be accepted provisionally and they will be required to furnish proof of having passed the examination as soon as possible and in any case not later than two months after the commencement of the examination.

14. No candidate shall be admitted to the examination unless he holds a certificate of admission from the Commission.

The decision of the Commission as to the eligibility or otherwise of a candidate for admission to the examination shall be final.

15. A candidate found guilty of impersonation or of submitting fabricated documents or documents which have been tampered with or of making statements which are incorrect or false or suppressing material information or of using or attempting to use unfair means in the examination hall or otherwise resorting to any other irregular or improper means for obtaining admission to the examination may, in addition to rendering himself liable to a criminal prosecution be debarred either permanently or for a specified period—

- (a) by the Commission from admission to any examination or appearance at any interview held by the Commission for selection of candidates; and

(b) by the Central Government from employment under the Government.

16. No recommendations except those required in the application form shall be taken into consideration. Any attempt on the part of a candidate to obtain support for his candidature by other means may disqualify him for admission.

17. Candidates must pay such examination fees as Government may prescribe (see Appendix II). No claim for a refund of any of these fees will be entertained, nor can they be held in reserve for any other examination or selection.

18. Examinations under these Rules shall be conducted by the Commission in the manner prescribed in the regulations which form Appendix IV to these Rules.

19. (a) After every examination the Commission shall make a list of the candidates in order of their merit as disclosed by the aggregate marks finally awarded to each candidate, and in that order so many candidates up to the number of unreserved vacancies announced under rule 6 above, as are found by the Commission to be qualified by the examination and are considered by Government or the appointing authority as the case may be, suitable in all other respects, shall be appointed.

(b) Appointments to vacancies to be filled by members of a particular community or communities shall be made by Government or the appointing authority as the case may be, in the order of merit of the candidates belonging to the particular community or communities, provided they have qualified in the examination and are in all respects suitable for employment in the service.

(c) Success in the examination confers no right to appointment, unless Government are satisfied, after such enquiry as may be considered necessary that the candidate is suitable in all respects for appointment to the public service.

20. A candidate must be in good mental and bodily health and free from any physical defect likely to interfere with the discharge of his duties as an officer of the Service. A candidate who (after such physical examination as Government or the appointing authority, as the case may be, may prescribe) is found not to satisfy those requirements will not be appointed. Only candidates who are likely to be considered for appointment will be physically examined.

In order to prevent disappointment candidates are advised to have themselves examined by a Government medical officer of the standing of a Civil Surgeon, before applying for admission to the examination. Particulars of the nature of the physical test to which candidates will be submitted before appointment and of the standard required can be had from the Commission.

21. (a) Appointments shall be made on probation for a period of three years.

(b) If, in the opinion of Government, the work or conduct of an officer on probation is unsatisfactory, or shows that he is unlikely to become efficient, Government may discharge him forthwith.

(c) On the conclusion of his period of probation, Government may confirm the officer in his appointment, or, if his work or conduct has in the opinion of Government been unsatisfactory, Government may either discharge him from the service or may extend his period of probation for such further period as Government may think fit.

(d) If no action is taken by Government under sub-rule (b) or (c) of this rule the period after the prescribed period of probation shall be treated as an engagement from month to month, terminable on either side on the expiration of one calendar month's notice in writing.

(e) If the power to make appointments in the Service is delegated by Government to any officer, that officer may exercise any of the powers of Government under this rule.

22. Probationers will also be required to pass a test in Hindi before confirmation.

## APPENDIX I

*Particulars regarding the Signal Engineering Department of the Superior Revenue Establishment of State Railways*

1. The probationary officers will be on probation for a period of three years during which their services will be liable to termination on three months' notice on either side. They shall undergo practical training for the first two years. Those favourably reported upon at the end of the two years' training will be given charge of the working posts provided they pass departmental and other examinations as may be prescribed. It must be noted that a second chance to pass any examination will, as a rule, not be given except under exceptional circumstances and only provided the record of the candidate during the period of his training is such as to justify such a relaxation being made. Failure to pass the examination may result in termination of services and will, in any case, involve stoppage of increment. At the end of one year in the working post, the officers will be required to pass a final examination both practical and theoretical and will, if successful, be confirmed provided they are considered otherwise fit for permanent appointment. In cases, where the probationary period has to be extended for failing to pass any or all the departmental examinations within the stipulated period, on their passing the departmental examinations, and being confirmed after expiry of the extended period of probation, the drawal of the first and subsequent increments will be regulated by Rules and Orders in force from time to time. On confirmation, their agreement will continue to remain in force subject to their service being terminable on 6 months' notice on either side.

Probationers will also have to undergo training at the Railway Staff College, Baroda, in two phases, first during the period of their 2 years' training and again during the period when they hold working posts. The test in the College is compulsory and a second chance, in the event of failure, will not be given except in exceptional circumstances and provided the record of the officer is such that such a relaxation may be made. Failure to pass the test may involve the termination of services and in any case, the officers will not be confirmed till they pass the test, their period of training and/or probation being extended as necessary.

On appointment a probationer shall execute an agreement binding himself and one surety jointly and severally to refund in the event of his failing to complete the probation to the satisfaction of the Central Government, any moneys paid to him consequent on his appointment as Probationer.

NOTE 1.—The period of training and the period of probation against a working post may be modified at the discretion of Government. If the period of training is extended in any case due to the training not having been completed satisfactorily, the total period of probation will be correspondingly extended.

NOTE 2.—On railways where there are specialised Tele-Communications posts, an additional training for a period of six months in Tele-Communications may be arranged in any particular case; in such cases, the period of probation in a working post referred to above will be reduced by six months.

2. (a) Probationers will not be permitted to apply for appointment elsewhere or appear for examination or selection for recruitment to other services.

(b) In cases where Probationers have already appeared at the Combined Competitive Examinations prior to their allotment to the Railway Service and qualify for appointment to services other than Railway Services, the question of their release from Railway Service will be considered only when they are prepared to refund in cash the cost of the training and other moneys paid to them during the period of their probation before they are actually relieved.

3. Officers will be required to pass a language examination in Hindi in Deva Nagari Script by the Lower Standard modified to suit the requirements of the Railways before they can be confirmed or before their pay can be raised from Rs. 350 p.m. to Rs. 380 p.m. in the time-scale during the period of probation. Officers who can speak Hindi and read and write it may be exempted by the General Manager/Chief Administrative Officer from passing the language examination. Failure to pass the examination within the probationary period involves liability to removal from service.

NOTE.—Some knowledge of Hindi prior to entry into service would be of advantage in passing departmental examinations.

4. Officers of the Signal Engineering Department of the Superior Revenue Establishment of Indian Railways recruited under these regulations—

- (a) will be eligible to pensionary benefits; and
- (b) shall subscribe to the State Railway Provident Fund under the Rules of that Fund

as applicable to railway servants appointed on the date they join service.

5. Pay will commence from the date of joining service. Service for increments will also count from the same date. Particulars as to pay are contained in para. 9 of this Appendix.

6. Officers recruited under these regulations shall be eligible for leave in accordance with the rules for the time being in force applicable to officers of State Railways.

7. Officers will ordinarily be employed throughout their service on the Railway to which they may be posted on first appointment and will have no claim, as a matter of right, to transfer to some other Railway. But the Government of India reserve the right to transfer such officers, in the exigencies of service, to any other Railway or project in or out of India. Officers will be liable to serve in the Stores Department of the Indian Railways if and when called upon to do so.

8. The relative seniority of officers appointed under rule 3(a) will ordinarily be determined by their order of merit in the competitive examination. The Government of India, however, reserve the right of fixing seniority at their discretion in individual cases. They also reserve the right of assigning to offices appointed under rules 3(b) and (c) and 4 positions in the seniority list at their discretion.

NOTE.—If the period of training and consequently the period of probation is extended in any particular case due to the training not having been completed satisfactorily, the officer concerned is liable to lose in seniority.

9. The following are the rates of pay admissible to officers appointed in India to the Signal Engineering Department of the Superior Revenue Establishment of Indian Railways:—

Junior Scale.—Rs. 350—350—380—380—30—590—E.B.—30—770—40—850.

Senior Scale.—Rs. 600 (1st to 6th year)—40—1,000—1,000—1,050—1,050—1,100—1,100—1,150.

Junior Administrative grade.—Rs. 1,300—60—1,600.

Senior Administrative grade.—Rs. 1,800—100—2,000.

NOTE.—Probationary officers will start on the minimum of the junior scale and will count their service for increment from the date of joining. They will, however, be required to pass any departmental examination or examinations that may be prescribed before their pay can be raised from Rs. 350 p.m. to Rs. 380 p.m. in the time-scale.

If they fail to pass the departmental examination within the probationary period, increments from Rs. 350 to Rs. 380 will be stopped. In cases where probationary period is to be extended for failing to pass all departmental examinations within the stipulated period, on their passing the departmental examination, the drawal of the first and subsequent increments will be regulated by Rules and Orders in force from time to time.

10. The increments will be given subject to sub-para. to Note under para. 9 above, for approved service only, and in accordance with the Rules of the Department.

11. Promotions to the administrative grade are dependent on the occurrence of vacancies in the sanctioned establishment and are made wholly by selection, mere seniority is considered to confer no claim for promotion.

#### APPENDIX II

##### FEES

(Vide Rule 17)

Candidates seeking admission to the examination must pay the following fees:—

(a) To the Commission:—

(i) Re. 1/- when asking for application form and connected documents.

This amount should be paid to the Commission by Money Order. Local candidates, however, may pay cash at the counter. The Commission will not accept payment made otherwise.

(ii) Rs. 81.50 (Rs. 19.62 in the case of candidates belonging to Scheduled Castes and Scheduled Tribes) with the completed application form.

This amount should be paid by means of Treasury Receipt or CROSSED Indian Postal Orders payable to Secretary, Union Public Service Commission. The Commission will not accept payment made otherwise.

(b) To the Medical Board:—

Rs. 16/- before examination by a Medical Board, if selected for appointment.

This amount should be paid in cash to the Medical Board through the General Manager of the Railway concerned at the time of the Medical examination.

2. Once an application has been considered by the Commission and the decision communicated to the candidate, no claim from the candidate for a refund of the fee paid by him to the Commission will be entertained nor can this fee be held in reserve for any other examination or selection. If, however, a candidate is not admitted to the examination by the Commission, a refund of Rs. 75 (Rs. 18.75 in the case of candidates belonging to Scheduled Castes and Scheduled Tribes) will be made to him.

3. The Commission may at their discretion remit the prescribed fee where they are satisfied that the applicant is a bona fide displaced person from Pakistan or from the unliberated areas of Jammu and Kashmir and is not in a position to pay the prescribed fee. The fee of Re. 1/-, however, must be paid even by a displaced person when asking the Commission for form and this amount will be refundable to him, if on receipt of his application, his claim to be a displaced person is accepted by the Commission and his fee is remitted.

### APPENDIX III

*List of University degrees which will be recognised for admission to the examination [vide Rule 13(c)]*

*Aberdeen*—B.Sc. Engineering (Honours or Ordinary degree).

*Cambridge*—Ordinary degree B.A. in Engineering provided the graduate has passed in the principal subjects, Engineering I, Engineering II and Engineering III.

*Durham*—B.Sc. in Marine Engineering.

*Glasgow*—B.Sc. in Naval Architecture (Honours or Ordinary degree).

**NOTE.**—The above degrees will be accepted only if taken after three years' study and the passing of the regular examinations in the several Universities. The conditions as to three years' study will not, however, apply to Indians who, having taken an Indian degree, which exempts them from part of the University course, shall have taken one of the above degrees in less than three years in accordance with the regulations of the University concerned.

### APPENDIX IV

*Standard and Syllabus of the Examination (vide Rule 18)*

Subject	Marks
(a) Compulsory—	
(1) English (including Essay and Precis writing)	100
(2) General Knowledge	100
(3) Electrical Engineering	100
(4) Electrical Communication Engineering	200
(5) Mechanical Engineering	200
(6) Personality Test	300
<b>TOTAL</b>	<b>1,000</b>

(b) Optional.—Any two of the following subjects:—

(1) Prime Movers	100
(2) Physics (Electricity and Magnetism)	100
(3) Applied Mechanics (including Strength of Materials and Theory of Structures)	100
(4) Applied Mathematics	100
(5) Construction--	

**Paper I—**

(i) Building Materials and Building Construction  
(ii) Design of Structures

{ 50

100

**Paper II—**

Roads, Railways (General principles governing the design of Railways, Roads, Harbours and other works)

{ 50

100

NOTE 1.—All papers must be answered in English.

NOTE 2.—Candidates must write the papers in their own hand. In no circumstances will they be allowed the help of an amanuensis (scribe) to write down answers for them.

2. The standard and syllabus of the examination will be such as the Commission shall prescribe.

3. The Commission have discretion to fix qualifying marks in any or all the subjects at the examination.

4. The Commission will summon at their discretion only those candidates whom they consider suitable for interview for the Personality Test.

5. Special attention will be paid in the Personality Test to assessing the candidates' capacity for leadership, initiative and intellectual curiosity, tact and other social qualities, mental and physical energy, powers of practical application and integrity of character.

6. From the marks assigned to candidates in each subject such deduction will be made as the Commission may consider necessary in order to secure that no credit is allowed for merely superficial knowledge.

7. Deductions up to 5 per cent. of the maximum marks for the written subjects will be made for illegible handwriting.

8. Credit will be given for good English including orderly, effective and exact expression combined with due economy of words in all subjects of the examination and not only in subjects which are specially devoted to English.

[No. E(GR)58RR4.]

**G.S.R. 161.**—In exercise of the powers conferred by the proviso to Article 309 of the Constitution, the President hereby makes the following rules regulating the recruitment to the Electrical Engineering Department of the Superior Revenue Establishment of the Indian Railways, namely:—

## RULES

### PART I—GENERAL

1. These Rules may be called the Electrical Engineering Department of the Superior Revenue Establishment of Indian Railways Recruitment Rules.

2. For the purpose of these rules—

(a) "Government" means the Government of India.

(b) "Commission" means the Union Public Service Commission.

(c) "Service" means the Electrical Engineering Department of the Superior Revenue Establishment of Indian Railways. The various grades of posts included in the Service, their classification, pay scales and special conditions of Service shall be as included in Appendix F to these rules.

(d) The Expressions 'Scheduled Castes' and 'Scheduled Tribes' have the meanings assigned to them in the Constitution.

3. Recruitment to the Service shall be by the following methods:—

- By competitive examination held in India in accordance with Part II of these Rules.
- By promotion of specially qualified class II officers, including officiating class III officers of the Electrical Engineering Department. Not more than 33 1/3 per cent of the vacancies will be filled by departmental promotion; this percentage is liable to be varied from time to time if found necessary.
- By occasional admission of other qualified persons appointed by the Government on the recommendations of the Commission.

4. Subject to the provisions of Rule 3, Government shall determine the method or methods to be employed for the purpose of filling any particular vacancies or such vacancies as may required to be filled during any particular period, and the number of candidates to be recruited by each method.

5. Appointments to the Service made otherwise than by promotion will be subject to orders issued from time to time by the Ministry of Home Affairs regarding special representation in the Services for specific sections of the people.

#### Part II—RECRUITMENT BY COMPETITIVE EXAMINATION

6. A competitive examination for admission to the service shall be held in India at such times and places as may be prescribed in the Notice issued by the Commission. Every such Notice will, when possible, announce the number of vacancies to be filled on the result of the examination.

7. If the examination held under this part of these Rules is a combined examination for the purpose of making appointments to more than one Service or Department, the following provisions shall apply:—

- Any person may apply to be admitted, as a candidate for appointment in all or any of these Services or Departments for which he is eligible. If he wishes to compete for appointment in more than one Service or Department, he shall state in his application form which Services or Departments he wishes to compete for and the order of his preference for them, and in such case only one application form will be necessary and one payment of the fees referred to in rule 17 (and Appendix II) will be sufficient.
- Government shall assign successful candidates to each Service or Department on a consideration of all circumstances including any personal preference expressed by the candidate.

8. A candidate must apply to be admitted to the examination before such date, in such manner, and in such form as the Commission may prescribe.

9. A candidate must be either—

- a citizen of India, or
- a subject of Sikkim, or
- a person of Indian origin who has migrated from Pakistan with the intention of permanently settling in India, or
- a subject of Nepal or of a Portuguese or a former French possession in India.

NOTE 1.—The appointment of candidates in categories (c) and (d) above will be subject to the issue of certificates of eligibility in their favour by the Government of India. The certificate of eligibility in respect of candidates belonging to category (c) will be valid only for a period of one year from the date of his appointment beyond which he would be retained in service only if he has become a citizen of India. Certificates of eligibility will not, however, be necessary in the case of candidates belonging to any one of the following categories—

- Persons who migrated to India from Pakistan before the 19th July, 1948, and have ordinarily been residing in India since then.
- Persons who migrated to India from Pakistan after the 18th July 1948, and have got themselves registered as citizens.

(3) Non-citizens of categories (c) and (d) above who entered service under the Government of India before the commencement of the Constitution, *viz.*, 26th January 1950 and who have continued in such service since then. Any such person who re-entered or may re-enter such service with break after the 26th January 1950, will, however, require certificate of eligibility in the usual way.

NOTE 2.—A candidate in whose case a certificate of eligibility is necessary may be admitted to the examination and he may also be provisionally appointed subject to the necessary certificate being eventually issued in his favour by Government.

10. (a) No candidate who has more than one wife living shall be eligible for appointment to any of the Services appointments to which are made on the results of this competitive examination unless the Government of India, after being satisfied that there are special grounds for doing so, exempt any male candidate from the operation of this rule.

(b) No female candidate who has married a person having already a wife living shall be eligible for appointment to any of the services appointments to which are made on the results of this competitive examination unless the Government of India after being satisfied that there are special grounds for doing so, exempt any female candidate from the operation of this rule.

11. (1) *On the date prescribed by the Commission in their Notice of the examination issued under Rule 6, a candidate must have attained the age of 21 and must not have attained the age of 25 provided that the upper age limit of 25 will be relaxable upto 30 in the case of candidates who are permanently employed in Railway Service or who were continuously in the temporary Railway Service for at least 3 years or who were within the above specified age limits on the date of their employment in Railway Service, such relaxation being limited to three examinations only.*

(2) Departmental candidates must obtain previous permission of the Head of the Department to appear for the examination.

(3) The upper age limits prescribed above will be relaxable:—

(i) Upto a maximum of five years if a candidate belongs to a Scheduled Caste or a Scheduled Tribe

(ii) Upto a maximum of three years if a candidate is a *bona fide* displaced person from Pakistan or from the unliberated areas of Jammu and Kashmir.

This concession will not, however, be admissible to a candidate who has already appeared at four previous examinations or in the case of Railway employees at seven previous examinations.

(iii) Upto a maximum of eight years if a candidate belongs to a Scheduled Caste or a Scheduled Tribe and is also a *bona fide* displaced person from Pakistan or from the unliberated areas of Jammu and Kashmir.

This concession will not, however, be admissible to a candidate who has already appeared at nine previous examinations or in the case of Railway employees at twelve previous examinations.

(iv) Up to a maximum of three years if a candidate is a resident of the former French Settlements which have now become part of India and has been receiving his education through the medium of French.

(v) Upto a maximum of 4 years if a candidate belongs to the Andaman and Nicobar Islands.

NOTE.—Candidates who are admitted to the examination under the age concession mentioned in this rule will not be eligible for appointment if, after submitting the application, they resign from service either before or after taking the examination. They will, however, continue to be eligible if they are retrenched from the service or post after submitting the applications.

SAVE AS PROVIDED ABOVE THE AGE LIMITS PRESCRIBED CAN IN NO CASE BE RELAXED.

12. A candidate must satisfy the Commission that his character is such as to make him suitable for appointment to the Service/Department.

## 13. A candidate must have—

- (a) obtained a degree in Engineering from a University incorporated by an Act of the Central or of a State Legislature in India; or
- (b) passed Sections A and B of the Associate Membership Examination of the Institution of Engineers (India) or have any other educational qualifications recognised by that institution as exempting from passing these sections, or
- (c) obtained an Engineering degree of one of the Universities mentioned in Appendix III under the conditions prescribed in that Appendix; or
- (d) passed the Honours Diploma examination in Civil, Mechanical or Electrical Engineering of the Loughborough College, Leicestershire, provided the candidate has passed the common preliminary examination or has been exempted therefrom; or
- (e) obtained the B.E (Tele-communication) degree awarded by Indian Universities.

NOTE I.—In exceptional cases the Commission may treat as a qualified candidate, a candidate who, though he has not all or any of the qualifications prescribed in this rule, has passed examinations conducted by other institutions of a standard which, in the opinion of the Commission, justifies his admission to the examination.

NOTE II.—Candidates who have appeared at an examination the passing of which would render them eligible to appear at this examination, but have not been informed of the result, may apply for admission to the examination. Candidates who intend to appear at such a qualifying examination may also apply, provided that the qualifying examination is completed before the commencement of this examination. Their applications will be accepted provisionally and they will be required to furnish proof of having passed the examination as soon as possible and in any case not later than two months after the commencement of the examination.

14. No candidate shall be admitted to the examination unless he holds a certificate of admission from the Commission.

The decision of the Commission as to the eligibility or otherwise of a candidate for admission to the examination shall be final.

15. A candidate found guilty of impersonation or of submitting fabricated documents or documents which have been tampered with or of making statement which are incorrect or false or suppressing material information or of using or attempting to use unfair means in the examination hall or otherwise resorting to any other irregular or improper means for obtaining admission to the examination may, in addition to rendering himself liable to a criminal prosecution be debarred either permanently or for a specified period—

- (a) by the Commission from admission to any examination or appearance at any interview held by the Commission for selection of candidates; and
- (b) by the Central Government from employment under the Government.

16. No recommendations except those required in the application form shall be taken into consideration. Any attempt on the part of a candidate to obtain support for his candidature by other means may disqualify him for admission.

17. Candidate must pay such examination fees as Government may prescribe (see Appendix II). No claim for a refund of any of these fees will be entertained nor can they be held in reserve for any other examination or selection.

18. Examinations under these Rules shall be conducted by the Commission in the manner prescribed in the regulations which form Appendix IV to these Rules.

19. (a) After every examination the Commission shall make a list of the candidates in order of their merit as disclosed by the aggregate marks finally awarded to each candidate, and in that order so many candidates up to the number of unreserved vacancies announced under rule 6 above, as are found by the Commission to be qualified by the examination and are considered by Government or the appointing authority, as the case may be, to be suitable in all other respects, shall be appointed.

(b) Appointment to vacancies to be filled by members of a particular community or communities shall be made by Government or the appointing authority as the case may be, in the order of merit of the candidates, belonging to the particular community or communities, provided they have qualified in the examination and are in all respects suitable for employment in the service.

(c) Success in the examination confers no right to appointment, unless Government are satisfied, after such enquiry as may be considered necessary that the candidate is suitable in all respects for appointment to the public service.

20. A candidate must be in good mental and bodily health and free from any physical defect likely to interfere with the discharge of his duties as an officer of the Service. A candidate who (after such physical examination as Government or the appointing authority, as the case may be, may prescribe) is found not to satisfy those requirements will not be appointed. Only candidates, who are likely to be considered for appointment will be physically examined.

In order to prevent disappointment candidates are advised to have themselves examined by a Government Medical Officer of the standing of a Civil Surgeon before applying for admission to the examination. Particulars of the nature of the physical test to which candidates will be submitted before appointment and of the standards required can be had from the Commission.

21. (a) Appointment shall be made on probation for a period of three years.

(b) If, in the opinion of Government, the work or conduct, of an officer on probation is unsatisfactory, or shows that he is unlikely to become efficient, Government may discharge him forthwith.

(c) On the conclusion of his period of probation Government may confirm the officer in his appointment, or, if his work or conduct has in the opinion of Government been unsatisfactory, Government may either discharge him from the Service or may extend his period of probation for such further period as Government may think fit.

(d) If no action is taken by Government under sub-rule (b) or (c) of this rule, the period after the prescribed period of probation shall be treated as an engagement from month to month, terminable on either side on the expiration of one calendar month's notice in writing.

(e) If the power to make appointments in the Service is delegated by Government to any officer, that officer may exercise any of the powers of Government under this rule.

22. Probationers will also be required to pass a test in Hindi before confirmation.

#### APPENDIX I

(See Rule 2)

#### *Particulars regarding the Electrical Engineering Department of the Superior Revenue Establishment of Indian Railways*

1. The probationary officers will be on probation for a period of three years during which their services will be liable to termination on three month's notice on either side. They shall undergo practical training for the first two years. Those favourably reported upon at the end of the two years' training will be given charge of the working posts provided they pass departmental and other examinations as may be prescribed. It must be noted that a second chance to pass any examination will, as a rule, not be given except under exceptional circumstances and only provided the other record of the candidate during the period of his training is such as to justify such a relaxation being made. Failure to pass the examination may result in termination of services and will, in any case, involve stoppage of increment. At the end of one year in the working post, the officers will be required to pass a final examination both practical and theoretical and will, if successful, be confirmed provided they are considered otherwise fit for permanent appointment. In cases, where the probationary period has to be extended for failing to pass any or all the departmental examinations within the stipulated period, on their passing the departmental examinations, and being confirmed after expiry of the extended period of probation, the drawal of the first and subsequent increments will be regulated by Rules and Orders in force from time to time. On confirmation, their agreement will continue to remain in force subject to their service being terminable on 6 months' notice on either side.

Probationers will also have to undergo training at the Railway Staff College, Baroda, in two phases, first during the period of their 2 years' training and again during the period when they hold working posts. The test in the College is compulsory and a second chance, in the event of failure, will not be given except in exceptional circumstances and provided the record of the officer is such that such a relaxation may be made. Failure to pass the test may involve the termination of services and in any case, the officers will not be confirmed till they pass the test, their period of training and/or probation being extended as necessary.

On appointment a probationer shall execute an agreement binding himself and one surety jointly and severally to refund in the event of his failing to complete the probation to the satisfaction of the Central Government, any moneys paid to him consequent on his appointment as Probationer.

**NOTE.**—The period of training and the period of probation against a working post may be modified at the discretion of Government. If the period of training is extended in any case due to the training not having been completed satisfactorily, the total period of probation will be correspondingly extended.

2. (a) "Probationers will not be permitted to apply for appointment elsewhere or appear for examination or selection for recruitment to other services."

(b) In cases where Probationers have already appeared at the Combined Competitive Examinations prior to their allotment to the Railway Service and qualify for appointment to services other than Railway Services, the question of their release from Railway Service will be considered only when they are prepared to refund in cash the cost of the training and other moneys paid to them during the period of their probation before they are actually relieved.

3. Officers will be required to pass a language examination in Hindi in Devanagari script by the Lower Standard modified to suit the requirements of the Railways before they can be confirmed or before their pay can be raised from Rs. 350 p.m. to Rs. 380 p.m. in the time scale during the period of probation. Officers who can speak Hindi and read and write it may be exempted by the General Manager/Chief Administrative Officer from passing the language examination. Failure to pass the examination within the probationary period involves liability to removal from service.

**NOTE.**—Some knowledge of Hindi prior to entry into service would be of advantage in passing departmental examinations.

4. Officers of the Electrical Engineering Department of the Superior Revenue Establishment of Indian Railways recruited under **these regulations**—

(a) will be eligible to pensionary benefits; and

(b) shall subscribe to the State Railway Provident Fund under the Rules of that Fund.

as applicable to railway servants appointed on the date they join service.

5. Pay will commence from the date of joining service. Service for increments will also count from the same date. Particulars as to pay are contained in para. 9 of this Appendix.

6. Officers recruited under these regulations shall be eligible for leave in accordance with the rules for the time being in force applicable to officers of Indian Railways.

7. Officers will ordinarily be employed throughout their service on the Railway to which they may be posted on first appointment and will have no claim, as a matter of right, to transfer to some other Railway. But the Government of India reserve the right to transfer such officers in the exigencies of service, to any other Railway or project in or out of India. Officers will be liable to serve in the Stores Department of the Indian Railways if and when called upon to do so.

8. The relative seniority of officers appointed under rule 3(a) will ordinarily be determined by their order of merit in the competitive examination. The Government of India, however, reserve the right of fixing seniority at their discretion in individual cases. They also reserve the right of assigning to officers appointed under rules 3(b) and (c), and 4 positions in the seniority list at their discretion.

**Note.**—If the period of training and consequently the period of probation is extended in any particular case due to the training not having been completed satisfactorily, the officer concerned is liable to lose in seniority.

9. The following are the rates of pay admissible to officers appointed in India to the Electrical Engineering Department of the Superior Revenue Establishment of Indian Railways.

Junior Scale:—Rs. 350—350—380—380—30—590—E.B.—30—770—40—850.

Senior Scale:—Rs. 600 (1st to 6th Year)—40—1,000—1,000—1,050—1,050—1,100—1,100—1,500.

Junior Administrative Grade:—Rs. 1,300—60—1,600.

Senior Administrative Grade:—Rs. 1,800—100—2,000

NOTE.—Probationary officers will start on the minimum of the junior scale and will count their service for increment from the date of joining. They will, however, be required to pass any departmental examination or examinations that may be prescribed before their pay can be raised from Rs. 350 to Rs. 380 p.m. in the time scale.

If they fail to pass the departmental examination within the probationary period, increments from Rs. 350 to 380 will be stopped. In cases where probationary period is to be extended for failing to pass all departmental examinations within the stipulated period, on their passing the departmental examination, the drawal of the first and subsequent increments will be regulated by Rules and orders in force from time to time.

10. The increments will be given, subject to sub-para. to Note under para 9 above, for approved service only, and in accordance with the Rules of the Department.

11. Promotions to the administrative grades are dependent on the occurrence of vacancies in the sanctioned establishment and are made wholly by selection; mere seniority is considered to confer no claim for promotion.

## APPENDIX II

### FEES

(Vide Rule 17)

Candidates seeking admission to the examination must pay the following fees:—

(a) To the Commission:—

(i) Re 1/- when asking for application form and connected documents.

This amount should be paid to the Commission by Money Order. Local candidates, however, may pay cash at the counter. The Commission will not accept payment made otherwise.

(ii) Rs. 81.50 (Rs. 19.62 in the case of candidates belonging to Scheduled Castes and Scheduled Tribes) with the completed application form.

This amount should be paid by means of Treasury Receipt or CROSSED Indian Postal Orders payable to Secretary, Union Public Service Commission. The Commission will not accept payment made otherwise.

(b) To the Medical Board:

Rs. 16/- before examination by a Medical Board, if selected for appointment.

This amount should be paid in cash to the Medical Board through the General Manager of the Railway concerned at the time of the Medical examination.

2. Once an application has been considered by the Commission and the decision communicated to the candidate no claim from the candidate for a refund of the fee paid by him to the Commission will be entertained nor can this fee be held in reserve for any other examination or selection. If, however, a candidate is not admitted to the examination by the Commission, a refund of Rs. 75/- (Rs. 18.75 in the case of candidates belonging to Scheduled Castes and Scheduled Tribes) will be made to him.

3. The Commission may at their discretion remit the prescribed fee where they are satisfied that the applicant is a bona fide displaced person from Pakistan or from the unliberated areas of Jammu and Kashmir and is not in a position to pay the prescribed fee. The fee of Re. 1/-, however, must be paid even by a displaced person when asking the Commission for form and this amount will be refundable to him if on receipt of his application, his claim to be a displaced person is accepted by the Commission and his fee is remitted.

## APPENDIX III

*List of University degrees which will be recognised for admission to the examination [vide rule 13 (c)]*

*Aberdeen*—B.Sc. Engineering (Honours or Ordinary degree).

*Cambridge*—Ordinance B.A. degree in Engineering provided the graduate has passed in the principal subjects, Engineering I, Engineering II and Engineering III.

*Durham*—B.Sc. in Marine Engineering.

*Glasgow*—B.Sc. in Naval Architecture (Honours or Ordinary degree).

**NOTE**—The above degrees will be accepted only if taken after three years' study and the passing of the regular examinations in the several Universities. The conditions as to three years' study will not however, apply to Indians who, having taken an Indian degree which exempts them from part of the University course, shall have taken one of the above degrees in less than three years in accordance with the regulations of the University concerned.

## APPENDIX IV

*Standard and Syllabus of the Examination (vide Rule 18)*

<i>Suje cts</i>	<i>Marks</i>
(a) Compulsory—	
(1) English (including Essay and precis writing).	100
(2) General Knowledge	100
(3) Electric Engineering	200
(4) Mechanical Engineering	200
(5) Applied Mechanics (including Strength of Materials and Theory of Structures)	200
(6) Personality Test	300
	Total
	1,100
(b) Optional—Any two of the following subjects: —	
(1) Physics (including Electricity and Magnetism)	100
(2) Applied Mathematics	100
(3) Surveying	100
(4) Electrical Communication Engineering	100

**NOTE 1.**—All papers must be answered in English.

**NOTE 2.**—Candidates must write the papers in their own hand. In no circumstances will they be allowed the help of an amanuensis (scribe) to write down answers for them.

2. A candidate who takes Surveying as an optional subject must produce a certificate that he has undergone satisfactory training in Surveying including practical Surveying in a college or institution recognised by the Commission for the purpose of admission to the competitive examination for the Service. The training must be equivalent to that given in the full course for a degree or diploma in Civil Engineering. The certificate must be signed by the Principal or the Head of the Department of Surveying in the college or institution.

For this purpose the Commission will ordinarily accept a certificate from any college or institution mentioned in rule 13 of the foregoing Rules or from any college which is affiliated to any University mentioned in the same Rule. The Commission, however, reserve to themselves, the power not to accept any certificate if they are satisfied that the practical training referred to therein falls short of the requirements of the Service, and their decision in the matter will be final.

3. The standard and syllabus of the examination will be such as the Commission shall prescribe.

4. The Commission have discretion to fix qualifying marks in any or all the subjects at the examination.

5. The Commission will summon at their discretion only those candidates whom they consider suitable for interview for the Personality Test.

6. Special attention will be paid in the Personality Test to assessing the candidate's capacity for leadership, initiative and intellectual curiosity, tact and other social qualities, mental and physical energy, powers of practical application and integrity of character.

7. From the marks assigned to candidates in each subject such deduction will be made as the Commission may consider necessary in order to secure that no credit is allowed for merely superficial knowledge.

8. Deductions upto 5 per cent. of the maximum marks for the written subjects will be made for illegible handwriting.

9. Credit will be given for good English including orderly, effective and exact expression combined with due economy of words in all subjects of the examination and not only in subjects which are especially devoted to English.

[No. E(GR)58RR 6.]

**G.S.R. 162.**—In exercise of the powers conferred by the proviso to Article 309 of the Constitution, the President hereby makes the following rules regulating the recruitment to the Mechanical Engineering and Transportation (Power) Department of the Superior Revenue Establishment of the Indian Railways, namely:—

## RULES

### PART I—GENERAL

1. These Rules may be called the Mechanical Engineering and Transportation (Power) Department of the Superior Revenue Establishment of Indian Railways Recruitment Rules.

2. For the purpose of these Rules—

(a) "Government" means the Government of India.

(b) "Commission" means the Union Public Service Commission.

(c) "Service" means service in the Mechanical Engineering and Transportation (Power) Department of the Superior Revenue Establishment of Indian Railways.

The various grades of posts included in the service, their classification, pay scales and special conditions of Service shall be as included in Appendix I to these Rules.

(d) The Expressions 'Scheduled Castes' and 'Scheduled Tribes' have the meanings assigned to them in the Constitution.

3. Recruitment to the service shall be by the following methods:—

(a) By appointment of candidates as Special Class Apprentices in the results of a Selection to be made in India in accordance with Part II of these Rules.

(b) By competitive examination held in India in accordance with Part III of these Rules.

(c) By promotion of specially qualified officers of the Class II Service, including officiating class II officers in the Mechanical Engineering and Transportation (Power) Department.

Not more than 33-1/3 per cent. of the vacancies will be filled by departmental promotion; this percentage is liable to be varied from time to time if found necessary.

(d) By occasional admission of other qualified persons appointed by the President in consultation with the Commission.

4. Subject to the provisions of rule 3, Government shall determine the method or methods to be employed for the purpose of filling any particular vacancies, or such vacancies as may require to be filled during any particular period, and the number of candidates to be recruited by each method.

5. Appointment to the Service made otherwise than by promotion will be subject to orders issued from time to time by the Ministry of Home Affairs regarding special representation in the Services for specific sections of the people.

**PART II—QUALIFICATIONS OF CANDIDATES AND METHODS OF SELECTION OF SPECIAL CLASS APPRENTICES RECRUITED UNDER RULE 3(a)**

Published separately on 10th January 1959.

**PART III—RECRUITMENT BY COMPETITIVE EXAMINATION**

6. A competitive examination for admission to the Service shall be held in India at such times and places as may be prescribed in the Notice issued by the Commission. Every such Notice will when possible announce the number of vacancies to be filled on the result of the examination.

7. If the examination held under this part of these Rules is a combined examination for the purpose of making appointments to more than one Service or Department the following provisions shall apply:—

- (a) Any person may apply to be admitted as a candidate for appointment in all or any of these Services or Departments for which he is eligible. If he wishes to compete for appointment in more than one Service or Department he shall state in his application form which Services or Departments he wishes to compete for and the order of his preference for them, and in such case only one application form will be necessary and one payment of the fees referred to in Rule 17 (and Appendix II) will be sufficient.
- (b) Government shall assign successful candidates to each Service or Department on a consideration of all circumstances including any personal preference expressed by the candidate.

8. A candidate must apply to be admitted to the examination before such date, in such manner, and in such form as the Commission may prescribe.

9. A candidate must be either—

- (a) a citizen of India; or
- (b) a subject of Sikkim; or
- (c) a person of Indian origin who has migrated from Pakistan with the intention of permanently settling in India; or
- (d) a subject of Nepal or of a Portuguese or a former French possession in India.

NOTE 1.—The appointment of candidates in categories (c) and (d) above will be subject to the issue of certificates of eligibility in their favour by the Government of India. The certificate of eligibility in respect of candidates belonging to category (c) will be valid only for a period of one year from the date of his appointment beyond which he would be retained in service only if he has become a citizen of India. Certificates of eligibility will not, however, be necessary in the case of candidates belonging to any one of the following categories:—

- (1) Persons who migrated to India from Pakistan before the 19th July 1948, and have ordinarily been residing in India since then.
- (2) Persons who migrated to India from Pakistan after the 18th July 1948, and have got themselves registered as citizens.
- (3) Non-citizens of categories (c) and (d) above who entered service under the Government of India before the commencement of the Constitution, viz., 26th January 1950 and who have continued in such service since then. Any such person who re-entered or may re-enter such service with break after the 26th January 1950, will, however, require certificate of eligibility in the usual way.

NOTE 2.—A candidate in whose case a certificate of eligibility is necessary may be admitted to the examination and he may also be provisionally appointed subject to the necessary certificate being eventually issued in his favour by Government.

10 (a) No male candidate who has more than one wife living shall be eligible for appointment to any of the Services, appointments to which are made on the results of this competitive examination unless the Government of India after being satisfied that there are special grounds for doing so, exempt any male candidate from the operation of this rule.

(b) No female candidate who has married a person having already a wife living shall be eligible for appointment to any of the services appointments to which are made on the results of this competitive examination unless the Government of India after being satisfied that there are special grounds for doing so, exempt any female candidate from the operation of this rule.

11. (1) On the date prescribed by the Commission in their Notice of the examination issued under Rule 6, a candidate must have attained the age of 20 and must not have attained the age of 25 provided that the upper age limit of 25 will be relaxable upto 30 in the case of candidates who are permanently employed in Railway service or who were continuously in the temporary Railway service for at least 3 years or who were within the above specified age limits on the date of their employment in Railway service, such relaxation being limited to three examinations only.

(2) Departmental candidates must obtain previous permission of the Head of the Department to appear for the examination.

(3) The upper age limits prescribed above will be relaxable—

(i) Upto a maximum of five years if a candidate belongs to a Scheduled Caste or a Scheduled Tribe.

(ii) Upto a maximum of three years if a candidate is a bona fide displaced person from Pakistan or from the unliberated areas of Jammu and Kashmir.

This concession will not, however, be admissible to a candidate who has already appeared at five previous examinations or in the case of Railway employees at eight previous examinations.

(iii) Upto a maximum of eight years if a candidate belongs to a Scheduled Caste or a Scheduled Tribe and is also a bona fide displaced person from Pakistan or from the unliberated areas of Jammu and Kashmir.

This concession will not, however, be admissible to a candidate who has already appeared at ten previous examinations or in the case of Railway employees at thirteen previous examinations.

(iv) Upto a maximum of three years if a candidate is a resident of the former French Settlements which have now become part of India and has been receiving his education through the medium of French.

(v) Upto a maximum of 4 years if a candidate belongs to the Andaman and Nicobar Islands.

NOTE.—Candidates who are admitted to the examination under the age concession mentioned in this rule will not be eligible for appointment if, after submitting the application, they resign from service either before or after taking the examination. They will, however, continue to be eligible if they are retrenched from the service or post after submitting the applications.

SAVE AS PROVIDED ABOVE THE AGE LIMITS PRESCRIBED CAN IN NO CASE BE RELAXED.

12. A candidate must satisfy the Commission that his character is such as to make him suitable for appointment to the service.

13. A candidate must have

(a) obtained a degree in Engineering from a university incorporated by an Act of the Central or of a State Legislature in India; or

- (b) passed Sections A and B of the Associate Membership Examination of the Institution of Engineers (India) or have any other educational qualifications recognised by that institution as exempting from passing these sections; or
- (c) obtained an engineering degree of one of the universities mentioned in Appendix III under the conditions prescribed in that Appendix; or
- (d) passed the Honours Diploma examination in Civil, Mechanical or Electrical Engineering of the Loughborough College, Leicestershire, provided the candidate has passed the common preliminary examination or has been exempted therefrom; or
- (e) obtained the B.E. (Tele-Communication) degree awarded by Indian Universities.

NOTE I.—In exceptional cases the Commission may treat as a qualified candidate, a candidate who, though he has not all or any of the qualifications prescribed in this rule has passed examinations conducted by other institutions of a standard which in the opinion of the Commission justify his admission to the examination.

NOTE II.—Candidates who have appeared at an examination the passing of which would render them eligible to appear at this examination, but have not been informed of the result may apply for admission to the examination. Candidates who intend to appear at such a qualifying examination may also apply, provided that the qualifying examination is completed before the commencement of this examination. Their applications will be accepted provisionally and they will be required to furnish proof of having passed the examination as soon as possible and in any case not later than two months after the commencement of the examination.

14. No candidate shall be admitted to the examination unless he holds a certificate of admission from the Commission.

The decision of the Commission as to the eligibility or otherwise of a candidate for admission to the examination shall be final.

15. A candidate found guilty of impersonation or of submitting fabricated documents or documents which have been tampered with or of making statements which are incorrect or false or suppressing material information or of using or attempting to use unfair means in the examination hall or otherwise resorting to any other irregular or improper means for obtaining admission to the examination may in addition to rendering himself liable to a criminal prosecution be debarred either permanently or for a specified period—

- (a) by the Commission from admission to any examination or appearance at any interview held by the Commission for selection of candidates; and
- (b) by the Central Government from employment under the Government.

16. No recommendations except those required in the application form shall be taken into consideration. Any attempt on the part of a candidate to obtain support for his candidature by other means may disqualify him for admission.

17. Candidates must pay such examination fees as Government may prescribe (See Appendix II). No claim for a refund of any of these fees will be entertained nor can they be held in reserve for any other examination or selection.

18. Examinations under these Rules shall be conducted by the Commission in the manner prescribed in the regulations which form Appendix IV to these Rules.

19. (a) After every examination the Commission shall make a list of the candidates in order of their merit as disclosed by the aggregate marks finally awarded to each candidate, and in that order so many candidates up to the number of unreserved vacancies announced under Rule 6 above as are found by the Commission to be qualified by the examination and are considered by Government or the appointing authority, as the case may be, to be suitable in all other respects, shall be appointed.

(b) Appointments to vacancies to be filled by members of a particular community or communities shall be made by Government or the appointing authority as the case may be, in the order of merit of the candidates belonging to the particular community or communities, provided they have qualified in the examination and are in all respects suitable for employment in the service.

(c) Success in the examination confers no right to appointment, unless Government are satisfied, after such enquiry as may be considered necessary that the candidate is suitable in all respects for appointment to the public service.

20. A candidate must be in good mental and bodily health and free from any physical defect likely to interfere with the discharge of his duties as an officer of the service. A candidate who (after such physical examination as Government or the appointing authority, as the case may be may prescribe) is found not to satisfy these requirements will not be appointed. Only those candidates who are likely to be considered for appointment will be physically examined.

NOTE.—In order to prevent disappointment candidates are advised to have themselves examined by a Government Medical Officer of the Standing of a Civil Surgeon before applying for admission to the examination. Particulars of the nature of the physical test to which candidates will be subjected before appointment and the standards required can be had from the Commission.

21. (a) Appointments shall be made on probation for a period of three years.

(b) If, in the opinion of Government, the work or conduct of an officer on probation is unsatisfactory, or shows that he is unlikely to become efficient Government may discharge him forthwith.

(c) On the conclusion of his period of probation Government may confirm the officer in his appointment, or if his work or conduct has in the opinion of Government been unsatisfactory Government may either discharge him from the service or may extend his period of probation for such further period as Government may think fit.

(d) If no action is taken by Government under sub-rule (b) or (c) of this rule, the period after the prescribed period of probation shall be treated as an engagement from month to month terminable on either side on the expiration of one calendar month's notice in writing.

(e) If the power to make appointments in the Service is delegated by Government to any officer, that officer may exercise all or any of the powers of Government under this rule.

22. Probationers will also be required to pass a test in Hindi before confirmation.

#### APPENDIX I

##### *Particulars regarding the Mechanical Engineering and Transportation (Power) Department of the Superior Revenue Establishment of Indian Railways*

1. The probationary officers will be on probation for a period of three years during which their services will be liable to termination on three months' notice on either side. They shall undergo practical training for the first two years. Those favourably reported upon at the end of the two years' training will be given charge of the working posts provided they pass departmental and other examinations as may be prescribed. It must be noted that a second chance to pass any examination will, as a rule, not be given except under exceptional circumstances and only provided the other record of the candidate during the period of his training is such as to justify such a relaxation being made. Failure to pass the examination may result in termination of services and will, in any case, involve stoppage of increment. At the end of one year in the working post, the officers will be required to pass a final examination both practical and theoretical and will, if successful, be confirmed provided they are considered otherwise fit for permanent appointment. In cases, where the probationary period has to be extended for failing to pass any or all the departmental examinations within the stipulated period, on their passing the departmental examinations, and being confirmed after expiry of the extended period of probation, the drawal of the first and subsequent increments will be regulated by Rules and Orders in force from time to time. On confirmation, their agreement will continue to remain in force subject to their service being terminable on 6 months' notice on either sides.

Probationers will also have to undergo training at the Railway Staff College, Baroda, in two phases, first during the period of their 2 years' training and again during the period when they hold working posts. The test in the College is compulsory and a second chance, in the event of failure, will not be given except in exceptional circumstances and provided the record of the officer is such that such a relaxation may be made. Failure to pass the test may involve the termination of services and in any case, the officers will not be confirmed till they pass the test, their period of training and/or probation being extended as necessary.

On appointment a probationer shall execute an agreement binding himself and one surety jointly and severally to refund in the event of his failing to complete the probation to the satisfaction of the Central Government, any moneys paid to him consequent on his appointment as Probationer.

NOTE.—The period of training and the period of probation against a working post may be modified at the discretion of Government. If the period of training is extended in any case due to the training not having been completed satisfactorily, the total period of probation will be correspondingly extended.

2. (a) Probationers will not be permitted to apply for appointment elsewhere or appear for examination or selection for recruitment to other services.

(b) In cases where Probationers have already appeared at the Combined Competitive Examinations prior to their allotment to the Railway Service and qualify for appointment to services other than Railway Services, the question of their release from Railway Service will be considered only when they are prepared to refund in cash the cost of the training and other moneys paid to them during the period of their probation before they are actually relieved.

3. Probationers will be required to pass a language examination in Hindi in Deva Nagri script by the Lower Standard modified to suit the requirements of the Railways before they can be confirmed or before their pay can be raised from Rs. 350 p.m. to Rs. 380 p.m. in the time scale during the period of probation. Probationers who can speak Hindi and read and write it may be exempted by the General Manager/Chief Administrative Officer from passing the language examination. Failure to pass the examination within the probationary period involves liability to removal from service.

4. Officers of the Mechanical Engineering and Transportation (Power) Department of the Superior Revenue Establishment of Indian Railways recruited under these regulations—

(a) will be eligible to pensionary benefits; and

(b) shall subscribe to the State Railway Provident Fund under the Rules of that Fund.

as applicable to railway servants appointed on the date they join service.

5. Pay will commence from the date of joining service as a probationer. Service for increments will also count from the same date. Particulars as to pay are contained in para. 9 of this Appendix.

6. Officers recruited under these regulations shall be eligible for leave in accordance with the rules for the time being in force applicable to officers of Indian Railways.

7. Officers will ordinarily be employed throughout their service on the Railway to which they may be posted on first appointment and will have no claim, as a matter of right, to transfer to some other Railway but the Government of India reserve the right to transfer such officers, in the exigencies of service, to any other railway or project in or out of India. Officers will be liable to serve in the Stores Department of Indian Railways if and when called upon to do so.

8. The relative seniority of officers recruited under rule 3(a) will ordinarily be determined by the order of merit at the end of their first four years' training, while in the case of those recruited under rule 3(b) the relative seniority will ordinarily be determined by the order of merit in the competitive examinations. As between officers recruited under rule 3(a) and those recruited under rule 3(b) who enter working posts in the same year, the seniority will be interpolated. The Government of India however reserve the right of fixing seniority at their discretion in individual cases. They also reserve the right of assigning to officers appointed under regulation 3(c) and 3(d) positions in the seniority list at their discretion.

NOTE.—If the period of training and consequently the period of probation, is extended in any particular case due to the training not having been completed satisfactorily, the Officer concerned is liable to lose in seniority.

9. The following are the rates of pay admissible to officers appointed to Mechanical Engineering and Transportation (Power) Department.—

Junior Scale—Rs 350—350—380—380—30—590—E.B—30—770—40—850

Senior Scale—Rs 600 (1st to 6th year)—40—1,000—1,000—1,050—1,050—1,100—1,100—1,150

Junior Administrative Grade—Rs 1,300—60—1,600

Senior Administrative Grade—Rs 1,800—100—2,000—125—2,250

NOTE.—Probationary officers will start on the minimum of the junior scale and will count their service for increments from the date of joining. They will, however, be required to pass any departmental examination or examinations that may be prescribed before their pay can be raised from Rs. 350 p.m. to Rs. 380 p.m. in the time scale.

If they fail to pass the departmental examination within the probationary period increments from Rs. 350 to Rs. 380 will be stopped. In cases where Probationary period is to be extended for failing to pass all departmental examinations within the stipulated period, on their passing the departmental examination, the drawal of the first and subsequent increments will be regulated by Rules and Orders in force from time to time.

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Candidates seeking admission to the examination must pay the following fees:—

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(b) To the Medical Board:

Rs. 16 before examination by a Medical Board, if selected for appointment.

This amount should be paid in cash to the Medical Board through the General Manager of the Railway concerned at the time of the Medical examination.

2. Once an application has been considered by the Commission and the decision communicated to the candidate no claim from the candidate for a refund of the fee paid by him to the Commission will be entertained nor can this fee be held in reserve for any other examination or selection. If, however, a candidate is not admitted to the examination by the Commission, a refund of Rs. 75 (Rs. 18.75 in the case of candidates belonging to Scheduled Castes and Scheduled Tribes) will be made to him.

3. The Commission may at their discretion remit the prescribed fee where they are satisfied that the applicant is a bona fide displaced person from Pakistan or from the unliberated areas of Jammu and Kashmir and is not in a position to pay the prescribed fee. The fee of Re. 1, however, must be paid even by a displaced person when asking the Commission for form and this amount will be refundable to him if on receipt of his application, his claim to be a displaced person is accepted by the Commission and his fee is remitted.

## APPENDIX III

List of University degrees which will be recognised for admission to the examination [vide rule 13(c)]

Aberdeen—B.Sc. in Engineering (Honours or Ordinary degree).

Cambridge—Ordinary B.A. degree in Engineering provided the graduate has passed in the principal subjects, Engineering I, Engineering II and Engineering III.

Durham—B.Sc. in Marine Engineering.

Glasgow—B.Sc. in Naval Architecture (Honours or Ordinary degree).

NOTE.—The above degrees will be accepted only if taken after three years' study and the passing of the regular examinations in the several Universities. The conditions as to three years' study will not however, apply to Indians who, having taken an Indian degree, which exempts them from part of the University course, shall have taken one of the above degrees in less than three years in accordance with the regulations of the University concerned.

#### APPENDIX IV

##### *Standard and syllabus of the Examination (vide Rule 18)*

Subjects	Marks		
<b>(a) Compulsory—</b>			
1. English (including Essay and Precis writing) ..	..	..	100
2. General Knowledge .. ..	..	..	100
3. Applied Mechanics (including strength of materials) ..	..	..	200
4. Theory of Machines and Machine design ..	..	..	200
5. Prime Movers .. ..	..	..	200
6. Personality Test .. ..	..	..	300
	<b>TOTAL</b>	..	1,100
<b>(b) Optional (any two of the following subjects)—</b>			
1. Hydraulics and Hydraulic Machines .. ..	..	..	100
2. Electrical Engineering .. ..	..	..	100
3. Metallurgy .. ..	..	..	100
4. Workshop Technology .. ..	..	..	100
5. Physics (including Electricity and Magnetism) .. ..	..	..	100
6. Workshop Organisation and Management .. ..	..	..	100

NOTE 1.—All papers must be answered in English.

NOTE 2.—Candidates must write the papers in their own hand. In no circumstances will they be allowed the help of an amanuensis (Scribe) to write down answers for them.

2. The standard and syllabus of the examination will be such as the Commission shall prescribe.

3. The Commission have discretion to fix qualifying marks in any or all the subjects at the examination.

4. The Commission will summon at their discretion only those candidates whom they consider suitable for interview for the personality test.

5. Special attention will be paid in the personality test to assessing the candidates' capacity for leadership, initiative and intellectual curiosity, tact and other social qualities, mental and physical energy, powers of practical application and integrity of character.

6. From the marks assigned to candidates in each subject such deduction will be made as the Commission may consider necessary in order to secure that no credit is allowed for merely superficial knowledge.

7. Deductions upto 5 per cent of the maximum marks for the written subjects will be made for illegible handwriting.

8. Credit will be given for good English including orderly, effective and exact expression combined with due economy of words in all subjects of the examination and not only in subjects which are specially devoted to English.

{No. E(GR)58RR-7-1.1

R. E. de sa, Secy.

## MINISTRY OF REHABILITATION

(Office of the Chief Settlement Commissioner)

New Delhi, the 27th January 1959

**G.S.R. 163/R Amdt. XXX**—In exercise of the powers conferred by section 40 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby makes the following further amendment to the Displaced Persons (Compensation and Rehabilitation) Rules, 1955, namely :—

In sub-rule (1) of rule 122 of the said rules, under "II. APPLICATIONS" for item (v) the following item shall be substituted namely :—

—“(v) an application for obtaining copies of orders made under the Act or these rules or for obtaining copies of deeds, wills, charts, maps and other documents filed by the claimants/applicants before the officers functioning under the said Act, that is to say :—

(a) if the order, deed or will etc., contains 200 words or any fraction thereof . . . . .	1.00
(b) if the order, deed or will etc., contains 201 to 300 words . . . . .	1.50
(c) if the order, deed or will etc., contains 301 to 500 words . . . . .	2.00
(d) if the order, deed or will etc., contains more than 500 words . . . . .	2.50
(e) if the application is for a copy of Chart or map filed by the claimant/applicant before Verifying Officer . . . . .	1.00
f) Additional fee for a copy if it is urgently required . . . . .	1.00
(g) A searching fee, in addition to the fee prescribed in Clauses (a) to (f) above, if no Index number of the claim/Registration number of the compensation application form/Registration number of the appeal, filed under Sections 23 & 24 of the Act, as the case may be, is furnished in the application for the copy . . . . .	1.00

[No. F. 7(1) Policy-I/58.]

I. N. CHIB,

Deputy Chief Settlement Commissioner  
& Ex. Oficio Deputy Secretary.

## MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 30th January 1959

**G.S.R. 164.**—In exercise of the powers conferred by sub-section (1) of section 7 of the Employees' Provident Funds Act, 1952 (19 of 1952), the Central Government hereby makes the following further amendment in the Employees' Provident Funds Scheme, 1952, namely:—

In the said Scheme, in paragraph 29, to sub-paragraph (2), the following proviso shall be added, namely:—

"Provided that in respect of any employee to whom the Scheme applies, the Commissioner may, if the employee so desires, allow such employee to contribute an amount not exceeding 8-1/3 per cent. of the basic wages and the dearness allowance (including the cash value of any food concession) payable to him".

2. The amendment hereby made shall be deemed to have come into force with effect on and from the 1st day of November, 1956.

[No. PF-II/61(47)/57.]

P. D. GAIHA, Under Secy.

New Delhi, the 31st January 1959

**G.S.R. 165.**—In exercise of the powers conferred by section 38 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby makes a following further amendment to the Industrial Disputes (Central) Rules, 1957,

the same having been previously published as required by sub-section (1) of the said section, namely:—

*Amendment*

For clause (b) of sub-rule (2) of rule 58 of the said rules, the following clause shall be substituted, namely:—

“(b) in the case of the workmen, by any officer of a trade union of the workmen or by five representatives of the workmen duly authorised in this behalf at a meeting of the workmen held for the purpose.

*Explanation.*—In this rule “officer” means any of the following officers, namely:—

- (a) the President;
- (b) the Vice-President;
- (c) the Secretary (including the General Secretary);
- (d) a Joint Secretary;
- (e) any other officer of the trade union authorised in this behalf by the President and Secretary of the Union.”

[No. LRI-1(39)/58-Am-V.]

A. L. HANNA, Under Secy.

**MINISTRY OF INFORMATION AND BROADCASTING**

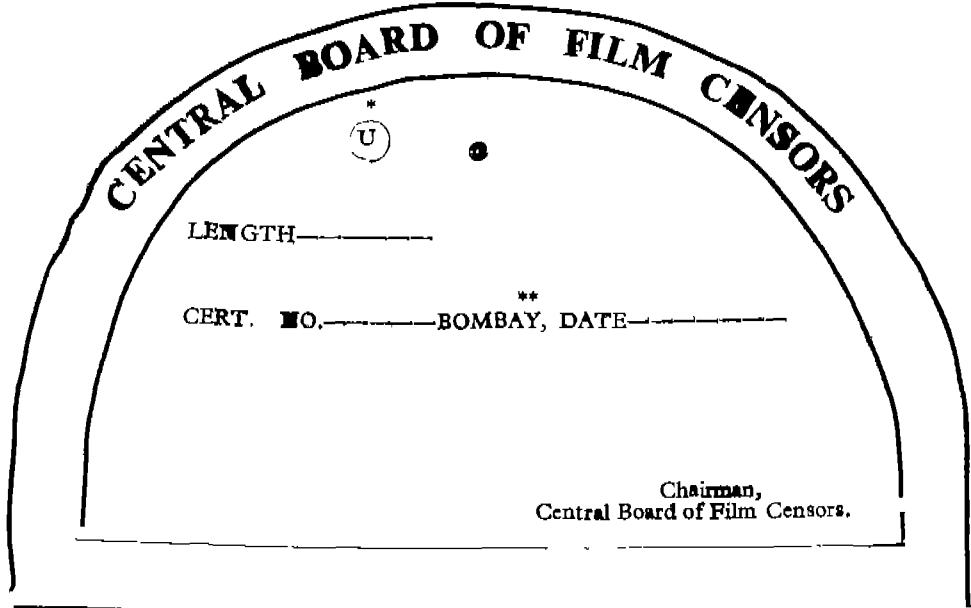
**CORIGENDUM**

*New Delhi, the 31st January 1959*

**G.S.R. 166.**—In the notification of the Government of India in the Ministry of Information and Broadcasting, published under G.S.R. 42 on pages 112 and 113 of the Gazette of India dated 10th January 1959, in amendment (2) on page 113, for Form VII, substitute the following Form VII.

**FORM VII**

[See sub-rule (3) of rule 36]



\* (U) or (A)

@△ if any cut

\*\*Bombay or Madras or Calcutta.

[No. 5/1/58-FC/C.C.R.58.Am.2.]

D. R. KHANNA, Under Secy.

See (1)

# The Gazette of India



## PUBLISHED BY AUTHORITY

No. 7] NEW DELHI, SATURDAY, FEBRUARY 14, 1959/MAGHA 25, 1880

### NOTICE

The undermentioned Gazettes of India Extraordinary were published upto the 7th February, 1959.

Issue No.	No. and date	Issued by	Subject
11	G.S.R. 135, dated 2nd February, 1959.	Ministry of Food and Agriculture.	The Punjab Roller Mills (Regulation of use of Wheat) Order, 1959.
12	G.S.R. 136, dated 23rd January, 1959.	Ministry of Finance	The President making rule that all loan agreements, promissory notes and other documents etc., shall be executed and authenticated on behalf of the President by the Ambassador of India in the United States of America or by the Minister (Economic) in the Indian Embassy.
	G.S.R. 137, dated 23rd January, 1959.	Do.	Instruments of Ratification of five Loan Agreements between the President of the Republic of India and the Development Loan Fund.
	G.S.R. 138, dated 23rd January, 1959.	Do.	Shri A. K. Roy, Secretary, Ministry of Finance (Dept. of Economic Affairs) authenticates in the name of the President ratification of the instruments specified therein.
13	G.S.R. 139, dated 3rd February, 1959.	Ministry of Home Affairs.	The Delhi Rent Control Rules, 1959.
14	G.S.R. 167, dated 4th February, 1959.	Ministry of Food and Agriculture.	The Rice and Paddy (Mysore) Price Control Order, 1959.
	G.S.R. 168, dated 4th February, 1959.	Do.	Amendment in the Rice and Paddy (Andhra Pradesh) Price Control Order, 1959.

Issue No.	No. and date	Issued by	Subject
15	G.S.R. 169, dated 7th February, 1959.	Ministry of Finance	Amendment in Notification No. 296-Customs, dated 6th December, 1958.
	G.S.R. 170, dated 7th February, 1959.	Do.	Amendment in Notification No. 296-Customs, dated 6th December, 1958.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

### PART II—Section 3—Sub-section (i)

**General Statutory Rules (including orders, bye-laws etc. of a general character) issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administrations of Union Territories).**

### ELECTION COMMISSION, INDIA

*New Delhi, the 7th February 1959*

**G. S. R. 176.**—In pursuance of the provisions of sub-rule (3) of rule 140 of the Representation of the People (Conduct of Elections and Election Petitions) Rules, 1956, and in continuation of the Commission's notification No 82/254/57 dated the 17th February, 1958 published in the extraordinary issue of the Gazette of India, Part II, Section 3(1) dated the 17th February, 1958, the Election Commission hereby publishes the Order of the High Court of Judicature at Madras passed on the 17th December, 1958, on the appeal filed by Shri S. Radhakrishnan against the Order dated the 31st January, 1958 of the Election Tribunal, Chingleput, in the Election Petition No. 254 of 1957.

### IN THE HIGH COURT OF JUDICATURE AT MADRAS

*Wednesday the seventeenth day of December, One thousand nine hundred and fifty eight.*

*(26th Agra-hayana of Saka, 1880)*

**PRESENT:**

The Honourable Mr. P. V. Rajamannar, Chief Justice.

AND

The Honourable Mr. Justice Ganapati Pillai.

**APPEAL AGAINST ORDER No. 177 of 1958.**

S. Radhakrishnan—Appellant (Petitioner).

**Versus**

1. T. D. Muthukumaraswami Naidu.
2. N. D. Govindaswami Kachirayar.
3. R. Srinivasacharlar.

Returning Officer for Cuddalore Parliamentary Constituency

Appeal against the order of the Election Tribunal, Chingleput dated 31st January, 1958, and madq in O.P. No. 9 of 1957.

**Respondents**

This appeal coming on for hearing on Thursday, 11th December, 1958 Monday 15th December, 1958 and having stood over for consideration till this day, the Court delivered the following.

### JUDGMENT

(Judgment of the Court delivered by the Honourable the Chief Justice).

This is an appeal against the order of the learned District and Sessions Judge, Chingleput who was appointed Election Tribunal to try and dispose of an election petition filed by S. Radhakrishnan, the appellant before us, in respect of an election for a seat in the Lok Sabha from the Cuddalore Parliamentary Constituency, which took place on the 6th March, 1957. The appellant, S. Radhakrishnan, the first respondent, T. D. Muthukumaraswami Naidu, and the second respondent, N. D. Govindasami Kachirayar, were the three candidates contesting for the seat. The Returning Officer declared the first respondent to be the successful candidate. According to him, the votes polled by the three candidates were as follows:—

S. Radhakrishnan	..	98,546
Muthukumaraswami Naidu	..	98,605
Govindaswami Kachirayar	..	34,549

There were 158 invalid votes. The appellant filed the election Petition challenging the election of the first respondent on various grounds. He prayed that the election of the first respondent be declared void on the several grounds he alleged in his petition. He further prayed that a re-count be ordered after hearing him and that he may be declared elected as a result of the re-counting if as a result of the re-counting he became entitled thereto. At the time of the trial of the Petition learned counsel for the appellant Petitioner made an endorsement on the main petition that he was not pressing the grounds alleged by him on which he prayed that the election of the first respondent may be set aside and that he confined himself to the relief of recount and scrutiny and for a declaration in his favour on foot of such scrutiny and recounting. The learned Election Tribunal therefore considered the question whether the appellant was entitled to a recount and scrutiny. Though the first respondent to whom we shall refer hereafter as the respondent, opposed the application for recount, the Tribunal by its order dated 26th November, 1957 allowed the Petition in so far as it prayed for a recount. He found that it was necessary to have a recount of the ballot papers other than the 158 rejected ballot papers. He directed that the recount may be done in his presence with such help from the Revenue Officials as may be available. The procedure to do adopted for recount and scrutiny was laid down in great detail and the recounting went on from 7th January, 1958 till 10th January, 1958. As the learned Tribunal says, though it was a very arduous process, the recounting and scrutiny were done so carefully and thoroughly that both sides expressed that they were satisfied with the way in which it was done. Votes of the appellant and the first respondent alone were counted as both the parties stated that it was unnecessary to recount the votes of the second respondent. As a result of the recount the Tribunal held that the total number of votes polled for the first respondent was 98,592 while the votes in favour of the appellant were 98,576. The main objection to the learned Tribunal's finding regarding the recount was that certain ballot papers which were in favour of Muthukumaraswami Naidu should have been rejected under Rule 57(2) (e) of the Electoral Rules. That provision is as follows:

"57(2) The Returning Officer shall reject a ballot paper:—

(a) If it does not bear any mark which it should have borne under the provisions of sub-rule (2) of Rule 27".

This ground of rejection is not intelligible without reference to Rule 27(2) which runs thus:

"Every ballot paper shall before issue to an elector be stamped with such distinguishing mark as the Election Commission may direct".

Rule 57(2) contains a proviso which is in the following terms:

"Provided that where the Election Commission on being satisfied that any such defect as is mentioned in Clause (d) or Clause (e) has, in respect of any of the ballot papers at a polling station, been caused by any mistake or failure on the part of the Presiding Officer or Polling Officer, has directed that the defect should be overlooked, a ballot paper shall not be rejected merely on the ground of such defect".

The learned Tribunal found the defect mentioned in Clause (e) of Rule 57(2) in a number of ballot papers polled for the appellant and the respondent. Clause (e) speaks of the absence of the mark which the ballot papers should have borne under the provisions of Rule 27(2). Now it is obvious that this defect can occur in the following contingencies, namely:—

- (1) Where there is no mark whatever;
- (2) When there is a distinguishing mark prescribed by the Election Commission under Rule 27(2) whilst the ballot paper contains other marks;
- (3) When there is a wrong distinguishing mark of the polling station; and
- (4) the distinguishing mark might show signs of interpolation or correction.

The learned Tribunal gave a classified list of ballot papers in respect of which there was a defect mentioned in Rule 57(2)(e). The following is that list:

	Polling Officer	Respondent
1. Ballot papers without the distinguishing marks of the polling station	249	298
2. Ballot papers bearing the distinguishing marks of two polling stations.	36	11
3. Ballot papers bearing wrong distinguishing marks of polling stations.	43	n.l
4. Correction of the number in the rubber seal of the ballot papers.	13	n.l

All the above ballot papers had been counted by the Returning Officer as valid. The reason why the Returning Officer presumably did not reject these papers is to be found in the Circular issued by the Election Commissioner to which we shall briefly refer. On 20th February, 1957 the Election Commission issued what is described as a statutory order, which in so far as it is material, is as follows:—

"Under the proviso to the above mentioned Clause (e) of sub-rule (2) of Rule 57

The Election Commission hereby directs that in every case where the returning Officer is satisfied that the distinguishing mark has not been stamped on a ballot paper in accordance with the commission's directions on account of any mistake or failure on the part of the Presiding Officer or Polling Officer, but the ballot paper is one which was authorised for use at the particular polling station was in fact issued to an elector at that polling station during the poll, the said defect, shall be overlooked and no ballot paper shall be rejected by a Returning Officer merely on the ground of such defect.

The Commission further directs that the returning Officer of every constituency shall report to the Commission the total number of ballot papers which were found not to bear the appropriate distinguishing mark but which were accepted as valid and counted on the authority of the present directions of the Commission".

On 28th February, 1957 the Election Commission issued another direction in ratification of the directions given earlier. By it every case where a ballot paper did not bear the distinguishing mark was not rejected and the defect was overlooked was to be reported to the Commission for its formal approval. The counting of the votes was however not to be suspended till receipt of the order from the Commission. On 13th March, 1957 there was a further direction by the Election Commission that is somewhat important, namely, that without holding up the declaration of the result pending reference by the Returning Officer to the Election Commission, it would be safer to have the formal order of the Election Commission in respect of such individual constituency in this regard, that is, in the curing of the defect, set out in Rule 57(2)(e). Of course these formal orders by the Commission would be *ex post facto*. It is true that it was made clear that the Election Commission would exercise such power and pass formal orders only on two essential conditions being satisfied, namely, (1) that the ballot papers concerned were authorised for use at the particular polling station and (2) that they were in fact issued to the electors at that Polling Station during the poll. As regards the present elections, the Returning Officer did report to the Commission on 12th March, 1957 that 1058 ballot papers did not contain the distinguishing mark but the defect was overlooked and the ballot papers were counted as valid. The Returning Officer requested that his action may be